

NS:JMS
F. #2018R00054

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

VICTOR CRUZ,
also known as "Vic" and "VI,"
ROBERT MARTINEZ,
also known as "Rob,"
JEFFREY CAAMANO,
also known as "Jefe,"
JASON REYES,
JASON GARCIA,
also known as "Jay,"
ALANNA KELLY
and MIA LIPTON,

Defendants.

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EASTERN DISTRICT OF NEW YORK, SS:

KEVIN SILBAUGH, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), duly appointed according to law and acting as such.

Upon information and belief, on or about and between June 2018 and November 2018, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants VICTOR CRUZ, also known as "Vic" and "VI," ROBERT MARTINEZ, also known as "Rob," JEFFREY CAAMANO, also known as "Jefe," JASON REYES, JASON GARCIA, also known as "Jay," ALANNA KELLY and MIA LIPTON together with others, did knowingly and intentionally conspire to distribute and

TO BE FILED UNDER SEAL

AFFIDAVIT AND COMPLAINT
IN SUPPORT OF AN ARREST
WARRANT

(T. 21, U.S.C. §§ 846,
841(b)(1)(A)(i), 841(b)(1)(B)(i)
and 841(b)(1)(C))

18-M-1157

possess with intent to distribute a controlled substance, which offense involved substance containing heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 846. The amount of heroin involved in the conspiracy attributable to defendants CRUZ, MARTINEZ, CAAMANO, REYES and GARCIA as a result of their own conduct, and the conduct of other conspirators reasonably foreseeable to them, was one kilogram or more of a substance containing heroin. The amount of heroin involved in the conspiracy attributable to defendant KELLY as a result of her own conduct, and the conduct of other conspirators reasonably foreseeable to her, was 100 grams or more of a substance containing heroin.

(Title 21, United States Code, Sections 846, 841(b)(1)(A)(i), 841(b)(1)(B)(i) and 841(b)(1)(C))

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

1. I have been an FBI Special Agent for approximately two years, and am assigned to a squad that investigates individuals and organizations engaged in narcotics trafficking and related offenses. During my tenure with the FBI, I have participated in numerous narcotics investigations during the course of which I have (a) conducted physical and wire surveillance; (b) executed court-authorized search warrants; (c) reviewed and analyzed numerous recorded conversations of drug traffickers; (d) debriefed cooperating witnesses and victims; (e) monitored wiretapped conversations of drug traffickers and reviewed line sheets prepared by wiretap monitors; and (f) conducted surveillance of

individuals engaged in drug trafficking and money laundering. Through my training, education and experience, I have become familiar with (a) the manner in which illegal drugs are imported and distributed; (b) the method of payment for such drugs; and (c) the efforts of persons involved in such activity to avoid detection by law enforcement.

2. Since approximately fall of 2017, FBI agents, along with New York City Police Department (“NYPD”) detectives, have been investigating a drug trafficking organization operating in Brooklyn, New York, among other locations. From information learned through my investigation, including reports made to me by FBI special agents, local police departments, confidential informants, reports of physical surveillance and communications intercepted pursuant to judicially authorized wiretaps, I am familiar with the facts and circumstances set forth below. Except where otherwise noted, the information set forth in this affidavit has been provided to me by other law enforcement officers or confidential sources.¹

3. From my participation in the investigation, I have learned that in or about and between June 2018 and November 2018, VICTOR CRUZ, also known as “Vic,” and ROBERT MARTINEZ, also known as “Rob,” were dealing heroin in the Williamsburg area of Brooklyn, New York. I have also learned during the investigation, including through witness interviews, that CRUZ and MARTINEZ historically have sold heroin in this

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

neighborhood, dating back to at least 2011. I have personally witnessed CRUZ and MARTINEZ each conduct narcotics transactions in Brooklyn and elsewhere. Based on my training, experience and participation in the investigation, I believe that they are trafficking heroin, based on the terminology they used in intercepted communications, the packaging and price of the narcotics they sold and the customers they have served. For example, CRUZ, MARTINEZ and other named co-conspirators refer to “buns” or “Bs,” which I know to be a street term for “bundle,” which is a reference to ten glassines of heroin, or approximately 1 gram in total. A glassine is a single-serving tiny baggie of narcotics. CRUZ and MARTINEZ also refer to “sleeves” which I know to be a street term for ten bundles (100 glassines, or 10 grams, of heroin). Additionally, they refer to prices of approximately \$75 to \$100 per gram, which I know to be consistent with the street price of heroin in New York City. Moreover, CRUZ and MARTINEZ have conducted narcotics sales to individuals that I know to have used heroin, based on interviews with them or their prior narcotics arrests or overdoses involving heroin.

4. In October 2018, a United States District Judge in the Eastern District of New York issued an order authorizing the interception of wire and electronic communications over CRUZ’s mobile telephone. Prior to and during the course of these interceptions, law enforcement determined that MARTINEZ was a source of heroin supply for CRUZ. In November 2018, a United States District Court Judge in the Eastern District of New York issued an order authorizing the interception of wire and electronic communications over MARTINEZ’s telephone. The interception period, in combination with the rest of the

investigation, revealed that CRUZ and MARTINEZ each conspired to obtain and distribute quantities of heroin with numerous individuals, as outlined below.

5. Intercepted communications have also revealed that JEFFREY CAAMANO is a narcotics supplier who supplied heroin to MARTINEZ during the course of the charged conspiracy. MARTINEZ in turn supplied heroin to CRUZ, JASON REYES, MIA LIPTON and ALANNA KELLY, among others. CRUZ also supplied heroin to and was supplied heroin by JASON REYES and JASON GARCIA, also known as “Jay,” among others, during the course of the conspiracy.

Defendants JEFFREY CAAMANO & ROB MARTINEZ

6. CAAMANO and MARTINEZ were in regular contact between at least approximately October 2018 through November 2018. The investigation revealed that much, if not all, of this communication was narcotics-related. Specifically, on November 5, 2018, CAAMANO and MARTINEZ conducted the following telephone conversation:²

CAAMANO (“JC”): Yo

MARTINEZ (“RM”): (Spanish)

JC: What’s good?

RM: Nothing, you ready for me?

JC: Umm, damn, you said you wanted how much?

RM: Um, I think 75.

JC: 75, for when?

² All transcripts are draft transcripts, not final transcripts, and are subject to revision.

RM: For Wednesday.

JC: For Wednesday?

RM: Um huh.

JC: Yeah, I'll make that happen. I thought you were trying to come tomorrow. But, yeah, I'll make that happen.

(Laughing)

RM: You still got exotic and all that?

JC: I got like, I'm not gonna lie to you my n-gga, I think I got like, I got to check, I think I got like two of them maybe and some of the same bud I gave you last time.

RM: Nah, then hold that, that new one you say you got, hold one for me. I'm definitely going to come for that and the other thing. Ya heard?

JC: Alright, then I'm.....

RM: But don't get rid of it my n-gga, I know how you are my n-gga, yo some n-gga came.....

JC: I gotta check my n-gga, I'mma tell you right now if I got, (UI) I know I have (UI), two of those showers.

RM: The one you gave me right?

JC: Yeah, I don't have two of those left. I got to see if.... I think I got two exotic left, but they both the same. Cause, I don't know my man came and snatched a whole bunch of the other one, but . . . purple sherbert, he really liked that shit.

RM: You told me, the fuffy (phonetic) shit you was telling me right?

JC: No, they both fuffy, they both (UI), but I got to check my n-gga, I'm over here fucking (UI) yeah heard.

(Laughing)

RM: Just let me know, cause I'm coming up Wednesday anyway, so just let me know.

JC: Alright, (UI) other ones, so I'll check. Cause if not, you know what I wanted to do, I wanna give you half and half n-gga, you know what I'm saying?

RM: Oh yeah, that will work for me to my n-gga, you feel me?

JC: But I got to check, I got to see if I got.

RM: Nah, yeah, just let me know my n-gga, ya heard?

JC: Alright.

RM: Alright bro.

Based on my training, experience and participation in this investigation, I believe in this call, MARTINEZ asked if CAAMANO could supply MARTINEZ with marijuana (“exotic,” “bud”) and another narcotic I believe to be heroin—referenced by quantity, “75.” MARTINEZ indicated that he wanted to obtain these from CAAMANO on Wednesday, and CAAMANO agreed that he could be ready to fulfill that order.

7. On Wednesday, November 7, 2018, MARTINEZ and CAAMANO spoke on another intercepted call, at approximately 10:22 a.m., in which MARTINEZ informed CAAMANO he would be coming up the next day, November 8, instead to meet with CAAMANO. On November 8, 2018, at approximately 11:07 a.m., MARTINEZ called CAAMANO and indicated that MARTINEZ was “here” to meet CAAMANO. At approximately 11:20 a.m. on November 8, 2018, law enforcement conducting surveillance outside of CAAMANO’s residence observed MARTINEZ’s vehicle parked outside the

residence. Law enforcement additionally observed video footage from the inside of the building in which CAAMANO's residence is located, which depicts the vestibule and lobby of the building. The video footage depicted MARTINEZ, who was carrying a backpack, and CAAMANO meeting in the lobby, then walking to the building's internal stairwell, and then disappearing from the view of the camera. Moments later, the lobby video footage depicted MARTINEZ reappearing in the lobby, carrying the backpack, and then exiting the building. At approximately 11:25 a.m., law enforcement agents conducting physical surveillance outside of CAAMANO's residence observed MARTINEZ exiting the building carrying the backpack. They then observed MARTINEZ entering his parked vehicle with the backpack and driving away.

8. At approximately 12:14 p.m. that day, MARTINEZ sent an intercepted text message to CAAMANO stating: "Gucci," which I know to be a street term for "good" or "all good." Based on my training, experience and participation in the investigation, I believe that in this text MARTINEZ was indicating to CAAMANO that the narcotics were good, or that he had successfully moved the narcotics without being apprehended. Based on these intercepted communications between MARTINEZ and CAAMANO, I believe that CAAMANO had supplied the requested narcotics to MARTINEZ for further distribution.

9. Similarly, on November 14, 2018, at approximately 4:09 p.m., CAAMANO and MARTINEZ conducted the following intercepted call:

JC: Yo.

RM: What's good me G?

JC: What's good?

RM: Nine of them, you still got the Gucci?

JC: Yeah, I took that shit.

RM: Yeah cause tomorrow right cool, I'm going need a half by tomorrow or Friday.

JC: Alright.

RM: Alright so just don't get rid of it my n-gga alright.

JC: Alright.

On this call, based on my training, experience and participation in the investigation, I believe that MARTINEZ was asking if CAAMANO still had a certain quantity of narcotics because MARTINEZ was going to need it for future resale. I also believe that this was an indication that MARTINEZ would need to be resupplied by CAAMANO later in the week and wanted CAAMANO to reserve that amount of narcotics ("a half") for him.

10. CAAMANO and MARTINEZ spoke again on November 19, 2018, on intercepted phone calls, about meeting up, which meeting law enforcement surveilled and observed. On that night, law enforcement observed, via pole camera footage, MARTINEZ leaving his residence in Brooklyn at approximately 9:16 p.m., carrying a backpack. MARTINEZ was then observed driving away. At approximately 9:40 p.m., MARTINEZ was observed parking outside of CAAMANO's residence. At approximately 9:43 p.m., law enforcement conducting physical surveillance observed MARTINEZ exiting his vehicle, carrying his backpack, which appeared to law enforcement to be empty, and entering

CAAMANO's residential building. At approximately 10:18 p.m., MARTINEZ exited the building carrying the backpack, which newly appeared to law enforcement agents to be full. MARTINEZ placed the backpack in the rear of his car and then drove back to his residence in Brooklyn. Upon arriving there, as depicted on pole camera footage, MARTINEZ removed the backpack from the rear of his car and carried it into his residence. Thereafter, at approximately 10:44 p.m., MARTINEZ texted "Gucci" to CAAMANO, which I know to be a street word for "good" or "all good" to indicate that the product is good or that MARTINEZ was able to safely get the narcotics back to his residence without problem. Based on my training, experience and participation in the investigation, I believe that on this date, MARTINEZ picked up the narcotics he requested from CAAMANO's residence and then brought them to his own residence for future distribution to customers.

11. On November 25, 2018, at approximately 5:47 p.m., CAAMANO and MARTINEZ spoke over another intercepted call, as follows:

JC: Yo.

RM: What's goin on dude?

JC: What's shakin?

RM: Uh, same shit different day.

JC: (Spanish) What's up?

RM: [UI] maintaining man. What's up with you?

JC: Same shit man . . . I was gonna ask you, you gonna do some whizz this week?

RM: The what?

JC: You gonna need some whizz this week comin' up?

RM: Yes probably. Why what happened?

JC: Nah, I got some shit that's fire, and then my man, [UI] check it out and all that shit, cause my man was like harassing me to check it out. I'm like yo my n-gga . . . either its fire or not fire my n-gga, I'm still gonna take some bullshit as a mine, you feel me?

RM: Yeah.

JC: But I'll check it out, niggas you know...

RM: Alright it's fire?

JC: Huh?

RM: It's fire [UI] for real.

JC: Yeah (Spanish) . . . fuckin, one of my mans is coming down to get a little 50 cent on Tuesday, so I'm like let me call this nigga for that.

RM: (Spanish) And what does he have? After you see him what are you gonna have?

JC: (Spanish) After what?

RM: After you see something, what you gonna [UI]?

JC: That's what I'm saying my n-gga, you gonna, I know you usually do a little 50 cent or 75 cent, maybe the whole...

RM: Yeah.

JC: But that's why I know, I don't know if I should grab like a buck or like a buck and change, you know like a buck 25 or a buck 30 or whatever...

RM: Yeah I feel what you mean. Um...

JC: You know what I'm saying, so I can just have it my n-gga.

RM: And when you gonna...

JC: Feel me?

RM: Yeah, yeah damn I think I might go with same I went last time then.

JC: Um what 75?

RM: Yeah.

JC: Yeah so then I'll just pick it up tomorrow, like that, cause yo my n-gga, when you order the middle ass amounts, my n-gga, you know what I'm saying, n-ggas be playing with that shit bro.

RM: I know my n-gga (Spanish) . . . That scares me, my n-gga for real, that's why I don't like fuckin with n-ggas in the hood, cause you know when you a little ten chele (Spanish), you know n-ggas be like, oh alright you know let me do my little . . .

JC: Nah you know, for sure n-ggas gonna do some bullshit like that, but I'm saying, like, if you around my way my n-gga, and you ask for some shit like that, and you ask for like 80 or some shit like that, n-ggas will play with that shit too.

RM: Yeah.

JC: [UI] my n-gga, I'll have my man, you know, I fuck with 'em.

RM: Yeah exactly, that's what it comes down to my n-gga, cause at the end of the day, that's what it comes down to, you know. The n-gga fuck with you, he ain't gone Britney Spears that shit you feel me?

[Laughter]

JC: Yeah, [UI]

RM: I'll let you know probably by the end of the week my n-gga.

JC: [UI]

RM: Alright?

JC: Alright.

Based on my training, experience and participation in the investigation, I believe that on this call, CAAMANO informed MARTINEZ that CAAMANO was going to check out the quality of a new narcotics supply and wanted to know if MARTINEZ would need to be resupplied that week (“you gonna need some whiz this week”). CAAMANO then indicated that he believed the new narcotics supply would be good quality (“fire”) but noted that narcotics are best quality when ordered in large amounts. CAAMANO indicated that the “middle ass amounts” get “play[ed] with,” which I believe is a reference to suppliers adding dilutants, or “cutting” the pure narcotic to make more money out of the deals—something I know from my training and experience happens in narcotics street dealing. CAAMANO indicated that he wanted to pick up at least a “buck,” which I believe is a slang reference to 100 grams, or more from the supplier. CAAMANO indicated he might pick up “a buck twenty-five or a buck thirty or whatever,” which I believe to be a reference to 125 or 130 grams of heroin. CAAMANO indicated to MARTINEZ that the amount CAMMANO picked up partly depended on how much MARTINEZ wanted to be supplied that week. CAAMANO then indicated that MARTINEZ usually orders 50, 75 or “the whole,” which I believe are quantity references to 50 grams, 75 grams or the entire 100 gram amount of heroin. MARTINEZ then replied that he wanted to order the same as the last time (“75”). Based on my training, experience and participation in the investigation, I believe that this conversation was another

plan to conduct a narcotics transaction in which CAAMANO would supply 75 grams of heroin to MARTINEZ.

12. The pattern of other intercepted communications between CAAMANO and MARTINEZ establishes that they corresponded at least every few days regarding new heroin transactions of between 50 to 100 grams per deal. Additionally, according to pen register data, CAAMANO and MARTINEZ were in contact nearly 400 times during the charged conspiracy, which contact I believe to be narcotics-related. In light of the amounts of heroin CAAMANO and MARTINEZ have discussed being available from suppliers above CAAMANO, the amounts that CAAMANO has supplied to MARTINEZ according to surveillance and intercepted communications, as well as the frequency of their contact, there is probable cause to believe that CAAMANO and MARTINEZ were involved in at least a several month conspiracy and that an amount of one kilogram of heroin was reasonably foreseeable to them as the object of that conspiracy.

Defendants MARTINEZ & VICTOR CRUZ

13. The investigation has established, through witness interviews, pen register data, surveillance and intercepted communications, that MARTINEZ and CRUZ have conducted narcotics transactions together for many years, and for at least part of the charged narcotics conspiracy time period. Intercepted communications established that MARTINEZ and CRUZ conducted heroin deals involving bundle (approximately 1 gram) and sleeve (approximately 10 grams) amounts of heroin, and that they each distributed smaller amounts of heroin to customers on the street level.

14. For example, on October 12, 2018, on an intercepted call, CRUZ and MARTINEZ discussed how MARTINEZ would be bringing heroin to CRUZ later that night.

At approximately 1:57 p.m., they stated the following:

CRUZ (“VC”): . . . Josh had me tight that day bro. N-gga told me, he said he wanted to go into the city, he was like, you ain’t with it, (UI) half an hour, some shit like that, I don’t know what, he would be there in like a forty five or some shit. He called me and said to come after 5 or some shit like that, remember?

MARTINEZ (“RM”): Yeah.

VC: He called me like three hours later bro.

RM: Wow.

VC: I know this n-ggas not going to come right now, this n-ggas not in a rush too.

RM: That n-ggas become some “now now now” shit.

VC: Yeah bro because he wanted a sleeve, he felt like I’m buying a sleeve bro. Yo, bro I’m getting it to you for 750, relax.

RM: Yo, and getting max play for 750, stop it.

VC: You got “fever” for me. I know we’re still at 350.

RM: Still what?

VC: You got “fever” for me.

RM: Yeah, if I got some.

VC: I’ll show you “thirty five cent.” I was hoping that n-gga Josh came through that day and I would have owed you a bullshit “buck.”

RM: Yea and what hasn’t called you since then.

VC: He called me yesterday and I was like yo, I’m having some more but I kept

calling that same number, I'm going to erase that number now fuck that shit.

RM: Yeah man, that should have been done you know how I am n-gga. I get rid of a number and that shit is gone.

VC: Peter been calling me he wants a buck, Konrad called me he wanted two. I was tight, couldn't move, you need five right there. Like, three 80s, two 90s basically.

RM: Ran with it.

VC: Bro like I said, you going to pick it up, you coming at all, n-ggas haven't really called me yeah, so it doesn't really matter.

RM: I'm gonna come by later, I got to go the hood later.

VC: Ok let me know, so I could tell them I'll be around. You tell me 5 or 6, I'm gonna be like, yo I'll be around 7 for sure.

RM: More like 7-8.

VC: I'm going tell them like 8:30 then.

RM: Alright unless you want to come here and pick it up.

VC: I'm going see right now I'm going to call you back in one minute.

RM: Alright.

Based on my training, experience and participation in this investigation, I believe in this call, CRUZ asked MARTINEZ if MARTINEZ could supply him with "fever," a coded reference for narcotics. CRUZ indicated to MARTINEZ that various narcotics customers have been coming to CRUZ requesting specific amounts of narcotics, including one customer who wanted a "buck" amount and another who wanted "two." CRUZ and MARTINEZ discussed selling sleeves for "750," which I believe to be a reference to 10 bundles of 10 glassines each

(100 glassines total) for 750 U.S. dollars. MARTINEZ indicated to CRUZ that he could come to CRUZ's location that night. CRUZ then stated he was going to call the customers and tell them to expect to purchase their narcotics from him around 8:30 p.m., after MARTINEZ supplied CRUZ with the narcotics. Thereafter, intercepted communications reflect that CRUZ contacted several individuals who appeared to be customers. These texts included: "Ill have something by 9 today bud" and "Ill have something by 9 today" and other similar communications. Based on my training, experience and participation in the investigation, I believe that in these texts, CRUZ was informing narcotics customers that he would have narcotics for them that night.

15. Later on the night of October 12, around 8:04 p.m., MARTINEZ and CRUZ spoke over an intercepted call, during which MARTINEZ stated, "I'm on my way, I just got in the car." Law enforcement was conducting surveillance via pole camera at a location known to law enforcement as MARTINEZ's residence, and observed a vehicle they know to be MARTINEZ's car backing out of the residence at approximately the same time as this intercepted phone call. At approximately 8:25 p.m., MARTINEZ texted CRUZ, "1 min" and CRUZ responded by text, "K." Based on the context of the texts, I believe this was MARTINEZ informing CRUZ that MARTINEZ was one minute away from the meeting location. At approximately 8:30 p.m., pole camera video showed that CRUZ left the door to his building open, and shortly thereafter, MARTINEZ entered the building in which CRUZ's residence is located. I believe that at this time MARTINEZ supplied the discussed narcotics to CRUZ. At approximately 8:33 p.m., MARTINEZ texted "525" to CRUZ, which I believe,

based on my training, experience and participation in this investigation, to be the amount of money CRUZ owed MARTINEZ for the narcotics MARTINEZ had supplied.

16. On October 15, 2018, CRUZ and MARTINEZ exchanged additional intercepted communications about conducting another narcotics transaction. CRUZ texted MARTINEZ stating, “Wish u more to come” “And \$ too lol.” At approximately 2:40 p.m., CRUZ called MARTINEZ and complained that MARTINEZ was not answering the phone and CRUZ needed “work.” Based on my training, experience and participation in the investigation, I believe that CRUZ was attempting to get in touch with MARTINEZ to get resupplied with narcotics (“work,” “more to come”). CRUZ also indicated in these text messages that there was cash to be exchanged between CRUZ and MARTINEZ (“\$ too”).

17. At approximately 4:19 p.m., MARTINEZ called CRUZ on another intercepted call, and they had the following conversation:

VC: Happy birthday old guy.

RM: Yo whats good?

VC: (UI) right now.

RM: *Ta bien.*

VC: Sitting here just bullshitting.

RM: Good looking bro.

VC: Yo I text you mad late, ain't get a hold of you.

RM: Yeah I was knocked out n-gga.

VC: Yeah, you was probably in your tenth dream.

RM: Yep, whats good though?

VC: How old are you?

RM: 34 n-gga.

VC: Damn.

RM: 34 old n-gga, 34 feel like I'm 43 n-gga.

VC: Savage.

RM: Fuckin' grandpa n-gga.

VC: I got "Tracey" for you right now, if you wanna put up a little bit.

RM: Yeah yeah, I'm a come through tonight then, I got you.

VC: Tonight?

RM: Yeah.

VC: Alright copy then like I said I got "Tracey" for you.

RM: Alright I got you.

VC: Alright copy.

Following this conversation, around 5:42 p.m., on October 15, MARTINEZ texted CRUZ, "Be there 730," to which CRUZ responded, "K." At approximately 7:15 p.m., MARTINEZ texted CRUZ, "5 min," to which CRUZ texted, "K." Then, at approximately 7:42 p.m., CRUZ texted MARTINEZ, "585," and MARTINEZ responded by text, "585." In these communications, based on my training, experience and participation in the investigation, I believe that CRUZ and MARTINEZ discussed MARTINEZ coming to resupply CRUZ with

narcotics. CRUZ suggested that MARTINEZ could come by CRUZ's residence and MARTINEZ indicated that he would come by, because CRUZ has "Tracey," which I believe to be code for cash or customers related to their narcotics transactions. Thereafter, MARTINEZ and CRUZ determined that MARTINEZ would come to CRUZ's residence around 7:30 p.m., which MARTINEZ then did ("5 min" text sent at approximately 7:15 p.m.). I believe that CRUZ then asked MARTINEZ if the cash owed for the narcotics was \$585, and MARTINEZ confirmed that it was.

18. The pattern of intercepted communications between CRUZ and MARTINEZ and historical pen register data establish that CRUZ and MARTINEZ have been frequent contact for much of the period between June 2018 to November 2018, nearly 2,000 times, which contact I believe to be primarily narcotics-related. Additionally, intercepted communications and pen register data established that CRUZ and CAAMANO spoke regarding narcotics transactions, and were in touch over 100 times during the charged conspiracy, which contact I believe to be narcotics related. In light of the amounts of heroin CRUZ and MARTINEZ have discussed obtaining, the amounts they knew to be available from CAAMANO and others, the amounts they have sold according to surveillance and intercepted communications, as well as the frequency of their contact, there is probable cause to believe that CRUZ and MARTINEZ were involved in at least a several month conspiracy and that an amount of one kilogram of heroin was reasonably foreseeable to them as the object of that conspiracy.

Defendant JASON REYES

19. In November of 2018, MARTINEZ and CRUZ each spoke with REYES on intercepted calls regarding narcotics transactions. On November 7, 2018, at approximately 1:44 p.m., REYES and MARTINEZ spoke about one such transaction. On that call, REYES stated, “I grabbed up a quick 30 you feel me,” “if you wanna holla at son,” and MARTINEZ replied, “I’m gonna come do it tonight then.” REYES asked MARTINEZ, “if you could bring the other shit,” and MARTINEZ replied, “Oh, the, yeah, I got you, 8?” REYES stated, “Yeah, you want 1 or 2, the short one?” MARTINEZ stated, “Yeah, I got you.” “So you gonna have them tonight, the . . .?” to which REYES said, “Yeah, I’ll have the . . . yeah.” REYES then said, “I’m gonna call the n-gga right now.” MARTINEZ said, “Seven, eight, you heard?” REYES replied, “I’m gonna call him right now.” Based on my training, experience and participation in the investigation, I believe that on this call, MARTINEZ was discussing supplying REYES with narcotics (“the other shit,” “the” “them,” “the”), and REYES in turn was providing a different type of narcotic to MARTINEZ. They arranged to do the transaction that night around 7 p.m. or 8 p.m.

20. Later on November 7, 2018, at approximately 2:43 p.m., CRUZ spoke with REYES and stated that CRUZ needed “five rollies.” CRUZ called REYES again at 3:41 p.m., and asked REYES for “six” “rollies.” Based on my training, experience and participation in the investigation, I believe that on these calls, CRUZ was requesting a specific type and quantity of heroin from REYES. Specifically, I believe that the term “rollies” is

short for “Rolex,” an identifying stamp used to mark the heroin referred to in other intercepted communications. On November 7, at approximately 5:26 p.m., REYES called CRUZ and stated he was “here” and CRUZ said “alright I’m going there right now.” At that time, law enforcement was conducting surveillance on the street of REYES’s residence in Brooklyn, New York. At approximately 5:28 p.m., law enforcement agents observed CRUZ entering a building and approximately one minute later, law enforcement agents observed CRUZ and REYES exiting that building together. Based on my training, experience and participation in the investigation, I believe that at this time, REYES supplied CRUZ with the narcotics that CRUZ had requested.

21. After CRUZ and REYES exited the building that night on November 7, CRUZ departed and REYES walked down the street towards his residence. While law enforcement observed REYES walking, at approximately 5:36 p.m., CRUZ called REYES, which call was intercepted, and they spoke as follows:

JR: Hello?

VC: Yo bro, one of them shits only have 9 in it, and you gave me one that had 5 be happy and 4 of the . . .

JR: No, but that’s, real truth, but that’s the same n-gga, that’s the same n-gga. You heard Mo.

VC: Well all this shit is be happy and WWH.

JR: Yeah, it’s real shit, that’s why, ya heard, there’s the one upstairs and son was put it together. He had put that together and he had to see somebody with that, so I was like yo, give me 5 and 5 of that, you feel me?

VC: Yeah but he didn’t give you five. He only gave you 5 happy and he gave

you 5, I mean 4 of the WWH, it's one short. There's only 59 here.

JR: Alright, I got that for you, it's a small fuck up, you heard?

VC: Alright.

JR: I'll call the n-gga right now, it in for you, I got you big boy.

VC: Alright.

Based on my training, experience and participation in this investigation, I believe, on this call CRUZ expressed to REYES that CRUZ checked the narcotics he was supplied and was short by a quantity of "one," and that he had only "59." REYES attempted to provide excuses but ultimately admitted, "it's a small fuck up." REYES then resolved to call the individual who had supplied the drugs to REYES, which REYES then supplied to CRUZ, regarding this discrepancy.

22. MARTINEZ and REYES also spoke on intercepted communications about large-scale narcotics trafficking and how CRUZ was attempting to keep up with them in narcotics sales. On November 15, 2018, at approximately 1:31 p.m., MARTINEZ and REYES spoke over an intercepted call as follows:

RM: I hear you fucking with "Vee."

JR: Oh yeah.

RM: That n-gga owe me bread that's why he's going to you bro.

JR: Oh word.

RM: Funny ass n-gga.

JR: That's the shit n-ggas be on MO.

RM: C'mon n-gga you know that bro. Why when he comes around he don't even talk about me n-gga.

JR: That's a fact. I see the n-gga 123, boom, boom.

RM: Oh yeah, what he getting, a couple of biggoties?

JR: Yeah my n-gga. Three n-gga.

RM: He's a bum n-gga.

JR: What the fuck is that, my n-gga, then that n-gga blows me up. Like 50 times Moe.

RM: Coming over there drunk and all that. I don't fuck with that n-gga anymore. He's on my shit list for real.

JR: Hell yeah, n-gga thats some bullshit Moe. So much shit happened and you go do some fuck boy shit.

RM: C'mon n-gga how long did I fuck with that n-gga and that n-gga go and (U/I). Thats why I'm like alright, n-gga, now I know what type of n-gga you are.

JR: N-gga took a pack or two, n-gga, shit.

RM: Exactly. Exactly bro.

JR: If that what that shit was worth n-gga, shit keep that shit.

RM: I already knew I took a couple of his busties, and a busties told me yesterday oh this n-gga got something good like Rolex. I already knew when he told me I was like Oh. The only n-gga he could get Wiz from is Jason you know.

JR: You already know that bro. You heard f-ggot shit Moe. No wonder he calls. Please come through du du du, and as soon as I go in the building it right next to the pizzeria shit. He grabs and goes.

RM: Yeah n-ggas in and out because he knows if he see me around, fucking clown n-gga bro.

JR: Some real f-ggot shit.

RM: N-gga went from being on top, to look at that n-gga, to running around looking like a little worm n-gga.

JR: Trying to get an onion from Isaac for a buck an ounce.

RM: Oh I see yeah because his man buys him. He got some little n-gga he be with in a Beamer or some shit. And he be buying like a couple of ounces. So he try to buy from Isaac and then make his little ones on something.

...

JR: Word. Yo I pulled down like 1280.

RM: 1280 out of 14, damn.

JR: Out of 14, so you feel me like. Some have pointed two for the n-ggas that come for the 15 and then the monsters, the 2.7 you know.

RM: Yeah. Yeah n-gga because you deal with the street line. I be doing like 2.0, 2.1 n-gga I'm trying to make the 100 off that yam.

JR: Yeah well that shit work. I was with these n-ggas. These niggas are putting it out at 1.8. So I'm saying wait a second, hold on Moe. Let me just double up, put the 80 on the 2.5, 2.5 see what its gonna hit for real quick, my n-gga.

RM: You took everybody you heard. That why my n-gga if you could do me a favor and if you see son. I don't care if you see son, just don't give him that Rolex.

...

RM: That's what I'm saying he's taking the yams, you feel me. But at the end of the day these n-ggas throw that little 3 to 4 hundred on there, they just turned a bird into a bird and a half.

JR: They turn that 60 into 90 Moe real quick.

RM: C'mon my n-gga, you know who turned me on to that, that n-gga Dayboo. That n-ggas dumb ass (U/I) . . . He gets them with the stamp on them and all shit. He said I turned 2 into like three and a half. I was like, oh god damn. You just went from pay 60, 55 a yam to what, 30 a yam, basically.

JR: So we got to bust that move n-gga, two bricks there shit.

RM: C'mon bro but at the end of the day you need something that will hold when you put 300 on there you feel me.

(Crosstalk)

RM: When he puts it in his bags and all that that n-gga only puts a little bit of something so when he puts it in yams n-gga (U/I) you know. I'm happy for you. I'm happy you're doing good for real.

JR: I got some Mexican n-gga that came to the block n-gga you heard. I guess he was like in a program a methadone program or something. N-gga, n-gga was telling him, n-gga came to the block like 3 days n-gga, walking back and forth on the block. He said like excuse me (U/I) you got that retard D. No I broke down and came over here for this, for that. So I was like yo no Moe, he was like please, please. I said come inside Moe, and he sniffed it right there, tooka tooka, ya heard. . . .Then says something in Spanish. That n-gga is a bustie.

RM: A good bustie?

JR: Hell yeah he comes every day from Staten Island at 90.

RM: Oh damn.

JR: I make a \$100 every time I see that n-gga.

RM: I ain't gonna lie my n-gga, that the good thing about having really good work my n-gga. You get your busties. That's why I tell you I totally understand where you're at my n-gga, because when I was with Obe I wasn't trying to hear about anyone giving me work. I wasn't trying to hear about buying yams. N-gga I'm moving 60 to 70 biggoties a day, my n-gga.

JR: Right, I'm not gonna fix something that ain't broke, you know what I mean.

RM: You already a cash cow, you feel me.

JR: Shit bugging. Shit be like a band every day bro. I don't even want to tell n-ggas that shit bro.

RM: Cmon you can tell me anything that shit ain't nothing (U/I).

JR: It's just bugged out all of a sudden a n-gga calls, I'm thinking I'm going outside for two bags maybe (U/I) and this n-gga wants a bun and a half.

23. Based on my training, experience and participation in the investigation, I believe that on this call, MARTINEZ and REYES began by discussing CRUZ, someone they have referred to as "VI" on intercepted communications. I also believe they were referring to JASON GARCIA, who drives a BMW that they referred to as a "beamer" and who they have known to sell narcotics with CRUZ. Specifically, MARTINEZ inquired whether REYES had supplied CRUZ with the "Rolex" stamped heroin, and REYES indicated that he had supplied CRUZ with three bundles of the heroin. MARTINEZ indicated that CRUZ owed him money from previous dealings and that is why CRUZ was asking to be supplied by REYES. Later in the conversation, MARTINEZ indicated that "busties," a slang term that I believe, based on my training and experience, refers to customers, wanted the "Rolex" stamped heroin and MARTINEZ asked REYES not to give any of that specific type of heroin to CRUZ. Additionally, MARTINEZ and REYES discussed the amount of narcotics they were selling and the way they were able to profit from their sales. They specifically referred to making "1280" from a certain transaction and making "100" on a "yam," which I believe is a

reference to making \$100 for a gram of heroin. Additionally, they referred to turning “two” to “three and a half,” which I believe, based on my training and experience, is a reference to adding a dilutant to the heroin to increase the volume before selling it for profit. MARTINEZ bragged that he was “moving” sixty to seventy “biggies” a day, which I believe, based on my training and experience, is a street slang term for a bundle. In other words, MARTINEZ said he was selling 60 to 70 grams of heroin per day. I believe that this call evidences the large-scale trafficking operation that MARTINEZ and REYES have been participating in, and also evidences their knowledge of various other suppliers, dealers and customers who they have dealt or competed with.

24. MARTINEZ and REYES also spoke on November 16, 2018 call in which REYES remarked that you have to have the best “quality” of narcotics and the right “quantity,” which I believe refers to what REYES thinks makes a narcotics dealer successful. MARTINEZ boasted that where he is, he “doesn’t care,” he “doesn’t have competition,” but inferred that REYES did have competition. REYES then responded, “that’s why I’m wilding on these n-ggas on the block,” “I ran outside with the katana sword, n-gga.” Based on my training, experience and participation in the investigation, I believe that these communications refer to MARTINEZ selling more than REYES but REYES indicated that he was working on taking control of his block and being an enforcer. I believe that when REYES referred to “wilding” and a “katana sword,” he indicated that he would take those measures to intimidate competition and keep control of the block for his own sales.

25. The pattern of other intercepted communications between CRUZ, REYES and MARTINEZ establishes that they corresponded frequently regarding new bulk-sized narcotics transactions. Additionally, according to pen register data, they have been in frequent contact during the charged conspiracy—CRUZ and REYES nearly 200 times, and MARTINEZ and REYES nearly 100 times—which contact I believe to be narcotics-related. In light of the amounts of heroin CRUZ, REYES and MARTINEZ discussed being available from suppliers above them, the amounts that REYES has sold or expressed desire to sell, according to surveillance and intercepted communications, as well as the frequency of his contact with other dealers, there is probable cause to believe that REYES was involved in at least a several month conspiracy and that an amount of one kilogram of heroin was reasonably foreseeable to him as the object of that conspiracy.

Defendant JASON GARCIA, also known as “JAY”

26. During the course of the investigation, I have learned that CRUZ and GARCIA work together to sell narcotics, by sharing supply and assisting each other with meeting customers. Additionally, they reside in the same building and conduct sales from that building, as well as store their narcotics and narcotics proceeds in various units within the building. For example, on October 16, 2018, after being supplied heroin by MARTINEZ in the narcotics transaction referenced above in paragraphs 16-17, CRUZ informed GARCIA that CRUZ could provide GARCIA with a “B,” which I believe to be code for a bundle of heroin. Additionally, on October 20, 2018, around 4:29 p.m., CRUZ spoke to GARCIA on an intercepted call, as follows:

GARCIA (“JG”): Yo you got work?

VC: Mmhmm

JG: You got work?

VC: Shit, I got like six loose my n-gga.

JG: You want to meet then? You want to sell that?

VC: Six loose? Yeah.

JG: Alright so hold on. I mean... give [...] call in like 10 minutes. Don't fall asleep n-gg-r.

VC: Nah, nah I'm up, I'm up.

JG: Alright.

They spoke again immediately thereafter, on another intercepted call, at 4:30 p.m.:

JG: Yo

VC: I got exactly one B left.

JG: One left?

VC: Yeah, one B, like one biggity.

JG: Copy

VC: Ya heard?

JG: Yeah but let me call this n-gg-r, let me see if I can get in touch with him, cause he called me at 3:30 -- no -- at 3:57. It's 4:30.

VC: Alright well let me know then.

JG: Alright. I'mma try to bust that.

VC: What's that?

JG: I said I'mma try to bust that.

VC: I can't hear you.

JG: I said I'm a keep callin' you and try to hit that (UI).

VC: Alright, let me know.

At approximately 5:07 p.m., GARCIA called CRUZ on another intercepted call, and they stated:

VC: Yo

JG: Yo, oh I thought you were sleepin'. He said ten minutes he'll be here.

VC: Alright, copy

JG: Alright, just don't go to bed, alright bro?

VC: Yeah, I'm up n-gga.

JG: Alright, I'mma call you in like five minutes to make sure you still up.

VC: Alright, so just come downstairs n-gga.

JG: No, I'm making (UI), I'm trying to get shit situated.

VC: You what?

JG: I'm getting it all ready, give me a second.

VC: I can't hear you.

27. Based on my training, experience and participation in the investigation, I believe that on these calls, GARCIA asked if CRUZ had narcotics to sell, and CRUZ indicated the amounts he had left. I believe when CRUZ said "six loose" he meant he had a

certain amount of narcotics that were not packaged. GARCIA asked CRUZ if he wanted to sell that and CRUZ agreed that he did. On the next call, CRUZ stated that he had exactly one “B,” or bundle of heroin, left—which I know to consist of ten glassines. I believe that GARCIA indicated that he wanted to try to purchase the whole bundle from CRUZ and needed to contact someone who might provide cash or want to purchase it. After that, GARCIA told CRUZ the individual was coming to see GARCIA in ten minutes, which I believe was a reference to GARCIA collecting the cash or lining up a customer to purchase the heroin. CRUZ then told GARCIA to “just come downstairs,” which I believe was a direction to GARCIA to come from his third floor apartment to the ground floor, where CRUZ’s apartment is, to conduct the narcotics transaction.

28. On October 27, 2018, CRUZ and GARCIA spoke on an intercepted call about obtaining narcotics to sell and their profit goals as narcotics traffickers:

VC: Yo what good, homie?

JG: Yo, this n-gga still didn’t answer your phone call?

VC: No.

JG: Oh that’s how true this is? For the work?

VC: What?

JG: For the work, for the work!

VC: Can’t hear you.

JG: I said for the work.

VC: Nah, I’m about to head over right now bro.

JG: Wake that n-gga up right now bro. This n-gga say he need like three.

VC: (Mumbles) I got to sell one this morning and two last night. I'm gonna just ask my brother for some bread, get some shit from my boy, a bullshit 650, make my own shit and fuck it. I'm gonna tell Chris to give me back that grand so I don't have to waste my money.

JG: Facts.

VC: I already got everything else.

JG: An then, n-gga gonna be at the (UI). I'll be there an n-gga, you can't touch nothing.

VC: Yes I can n-gga.

JG: Nah you gonna waste it on beer n-gga. We need to be rich.

VC: (UI)

JG: Nah I'm be managing your money n-gga, for free.

VC: You know how I do.

JG: Yo n-gga this is three, yo, I could have been a millionaire by now bro, fucking around with you. But no.

VC: I told you n-gga (UI).

JG: Yo call this n-gga! See if we can get it again? Call him one more time please?

VC: Alright.

...

JG: Call this n-gga, for real bro.

VC: I'm a text him. I know he ain't gonna pick up my call, he with his girl. It's Saturday bro. I'll text him. He will text me back, if anything.

JG: Aight cool.

Based on my training, experience and participation in the investigation, on this call I believe that CRUZ and GARCIA discussed how CRUZ was having trouble obtaining narcotics (“work”) from a supplier (“him”) who I believe to be MARTINEZ based on other intercepted communications. CRUZ then indicated to GARCIA that CRUZ was going to borrow some money from CRUZ’s brother and buy narcotics from another source to then sell. Based on other intercepted communications, I believe that the other source CRUZ referred to was JEFFREY CAAMANO. GARCIA and CRUZ agreed that CRUZ would continue to try to get narcotics from their supplier. Also on this call, CRUZ and GARCIA discussed amounts of heroin that could be purchased for “a grand” or “650” which, based on my training and experience, would be enough to purchase an amount of at least ten grams of heroin. GARCIA also indicated that they should be millionaires by now, from their drug dealing.

29. The pattern of other intercepted communication between CRUZ and GARCIA establishes that they corresponded often regarding narcotics transactions. Additionally, according to pen register data, CRUZ and GARCIA have been in contact over 8,000 times during the charged narcotics conspiracy, which contact I believe to be primarily narcotics-related. In light of the amounts of heroin GARCIA has discussed obtaining and knows are available from suppliers above him, the amounts he has sold according to surveillance and intercepted communications, as well as the frequency of his contact with CRUZ, there is probable cause to believe that GARCIA was involved in at least a several

month conspiracy and that an amount of one kilogram of heroin was reasonably foreseeable to him as an object of that conspiracy.

Defendant ALANNA KELLY

30. During the course of the investigation, I have learned that ALANNA KELLY currently resides in Hawaii. Intercepted communications have established that KELLY has requested that MARTINEZ ship narcotics to her from Brooklyn for further distribution on the street level in Hawaii. For example, on November 12, 2018, at approximately 12:05 p.m., KELLY texted MARTINEZ asking, “Hey can u get 2 more ready to send out. I’ll send ya money by 4.” MARTINEZ responded, “Kk.” Later that day, at approximately 3:52 p.m., KELLY texted MARTINEZ, “Gunna head toward western union now. You’ll def be able to get it in the mail before the post office closes?” MARTINEZ replied by text, “Yea.” Soon after, MARTINEZ texted KELLY again, “It’s veterans day,” “Post office is closed.” KELLY responded by text, “Oh fuck lol I forgot.” Then she texted, “I’ll send ya the money either later today or early tomorrow and just go to post office tomorrow.” MARTINEZ replied by text, “Kk.” Based on my training, experience and participation in the investigation, I believe that in these texts, KELLY asked MARTINEZ if he could send “2,” a specific quantity of narcotics via U.S. mail and indicated that she would wire payment to MARTINEZ via Western Union. They then realized that the Post Office was closed for Veteran’s Day and determined that MARTINEZ would ship the narcotics the next day.

31. On November 12, 2018, at approximately 1:24 p.m. Eastern Standard

Time, KELLY texted MARTINEZ on more intercepted communications, “Hey I’m heading to Western Union right now. Can you try to get it in the mail before 3:30 or so I just don’t want to risk it not going out tonight and me getting it any later than Thursday. This time you can address it to ‘General delivery: Alanna Kelly 15-2859 Pahoia Village Rd., pahoia, hi 96778.’” MARTINEZ replied by text, “Kk.” Based on my training, experience and participation in the investigation, I believe that in this text, KELLY gave MARTINEZ instructions about where to ship the narcotics and indicated that she would wire him the cash payment for the drugs. Additionally, I believe that this text indicates that MARTINEZ has previously shipped narcotics to KELLY, based on her use of “this time,” in directing him how to ship them. On additional intercepted texts, KELLY then stated, “Thanks. I’m going to western union with \$200, so again – just 2 Bun . . . unless you want to send five, and I could send you another 250 the day I receive – up to u.” I believe that in this text, KELLY indicated that she was sending \$200 to pay for two bundles (“Bun”) of heroin (or twenty glassines) to be sent to her for distribution. KELLY further indicated in this text that if MARTINEZ could send her five bundles—50 glassines, or 5 grams of heroin—she would pay him the additional cost for the heroin later. MARTINEZ responded by text, “U still haven’t gave me any bread u owe me,” to which KELLY texted, “I know – my pops was suppose to give me money when I was home. It never happened. Was just figuring if u wanted to send a couple extra I know I could def sell em soon as they come in. If not no worries. My dad is still givin me this bread at some point I just might be another month.” KELLY again texted MARTINEZ, “Sorry didn’t mean to be annoying – the 2 is totally cool. I’ve just had like 5

people hit me up since I been back so I figured I'd see if u wanted to send a couple extra that I know I could flip right away but I understand – its all good. And I'm still send ya \$ when it comes thru from my old man.” KELLY texted MARTINEZ once again, “Just send me the tracking when you have a minute.” Based on my training, experience and participation in the investigation, I believe that on these texts, MARTINEZ reminded KELLY that she still owed MARTINEZ money from prior transactions. KELLY indicated that she had customers who would want to buy the extra heroin, if MARTINEZ wanted to send it, but that she understood the money situation and did not mean to push or irritate MARTINEZ. KELLY then indicated that she was waiting on her dad to give her money so that she could pay MARTINEZ and requested that MARTINEZ send her the tracking number for the heroin shipment he was sending to her.

32. On November 17, 2018, KELLY texted MARTINEZ again regarding another heroin shipment stating, “Hey was hopin you could throw another 2 in the mail tomorrow (Saturday) I'll send ya money before the post office closes.” Later that day, KELLY texted again, “Heyyy my bad I slept real late. Can u send me something on Monday? I'll send ya \$ before then,” to which MARTINEZ responded, “Kk.” Based on my training, experience and participation in the investigation, I believe that in these communications, KELLY asked MARTINEZ to mail two more bundles of heroin and that she would wire him money in exchange. KELLY then indicated that she had not yet sent the money, and she asked MARTINEZ to ship her the heroin on the following Monday. MARTINEZ agreed to do so.

33. On November 19, 2018, KELLY texted MARTINEZ on additional intercepted texts, “Gunna send u money by 3pm – Monday. Can you please try to get to the post office as soon as I send it to you. Just cos I’ll be super fucked of it doesn’t come on Wednesday. Ps hope you and the fam have a nice thanksgiving.” Later that day, KELLY texted MARTINEZ, “On my way to western union now. I’ll text ya back with confirmation code in like 15 or so.” Soon after, KELLY texted MARTINEZ: ‘General delivery: Alanna Kelly 15-2859 Pahoia Village Rd. Pahoia, hi 96778.’” MARTINEZ replied by text, “Got u.” Based on my training, experience and participation in the investigation, I believe that KELLY informed MARTINEZ that she needed the heroin to arrive to her by Wednesday due to the upcoming Thanksgiving holiday. KELLY then provided instructions directing MARTINEZ to ship another package of heroin to her.

34. According to Western Union records, between June 2018 and November 2018, KELLY sent at least fifteen separate money transfers to “ROBERTO MARTINEZ,” from Hawaii to MARTINEZ’s address near Williamsburg, New York, via Western Union. These transfers totaled nearly \$7,000. Based on my training, experience and participation in the investigation, this amount of money would be consistent with purchases of at least 70 grams of heroin from MARTINEZ.

35. The pattern of other intercepted communication between KELLY and MARTINEZ establishes that they corresponded often regarding narcotics transactions. Additionally, according to pen register data, KELLY and MARTINEZ have been in contact nearly 1,000 times throughout the charged conspiracy time period, which contact I believe to

be narcotics-related based on intercepted communications. Based on my training, experience and participation in the investigation, as well as the amounts conveyed in the intercepted communications, I believe that KELLY was ordering bundles or sleeves of heroin to be shipped to her. In light of the amounts of heroin KELLY discussed obtaining, the access she knew her supplier MARTINEZ had to heroin, the amounts she actually obtained according to intercepted communications, as well as the frequency of her contact with MARTINEZ, there is probable cause to believe that KELLY was involved in at least a several month conspiracy and that an amount of 100 grams of heroin was reasonably foreseeable to her as the object of that conspiracy.

Defendant MIA LIPTON

36. During the course of the investigation, I have learned that MARTINEZ has additionally supplied heroin to MIA LIPTON for further distribution. On intercepted communications, LIPTON and MARTINEZ arranged several narcotics transactions during the course of the charged conspiracy. Specifically, LIPTON requested that MARTINEZ supply her with particular amounts of heroin, which she then obtained from MARTINEZ in Brooklyn. For example, on November 5, 2018, at approximately 10:40 p.m., LIPTON sent an intercepted text message to MARTINEZ asking, “Will u def be around in late morning?” On November 5, 2018, at approximately 8:59 a.m., LIPTON texted MARTINEZ again, asking: “Or when’s good?” MARTINEZ responded by text, “Tonight like 7 8” and then, “I’m waiting on it.” LIPTON replied at approximately 9:17 a.m., “Oh damn I’m all out” “Will it def come today?” MARTINEZ responded, “Yea” and LIPTON then texted, “K please lemme

know asap!” “U totally out?” Based on my training, experience and participation in the investigation, I believe that in these text messages, LIPTON asked when she could come to meet MARTINEZ to obtain narcotics, but MARTINEZ said that he was still “waiting on it.” I believe this refers to MARTINEZ waiting to be supplied with narcotics from his supplier. Additionally, LIPTON expressed that she is “all out” and thus expressed urgency in asking MARTINEZ to let her know when he can supply her, “asap!”

37. That evening, on November 5, at approximately 5:30 p.m., MARTINEZ texted LIPTON on an intercepted text, “8 if u can.” LIPTON replied by text, “I’ll try but not sure yet. Let u know soon.” MARTINEZ then texted, at approximately 5:51 p.m., “How bout 7.” LIPTON replied on an intercepted text, “Yeah can u really meet then?” and then “What kind is it?” MARTINEZ responded by text, “D’s same one.” LIPTON texted, “K I can do 7 if it’s really around 7?” to which MARTINEZ texted, “Yea.” LIPTON then texted, “K 20” “Actually 22.” MARTINEZ responded by text, “K got u.” Based on my training, experience and participation in the investigation, I believe that in these texts MARTINEZ indicated to LIPTON that he could provide narcotics to her at 8 p.m., and then offered to meet at 7 p.m. LIPTON asked what type of narcotics (which based on my training and experience I believe referred to an identifying stamp associated with the drugs), and MARTINEZ informed her it was the “same.” LIPTON then requested “22,” a specific quantity of narcotics. MARTINEZ then agreed that he could provide that amount.

38. On November 5, 2018, at approximately 6:53 p.m., LIPTON sent an intercepted text message to MARTINEZ, stating “On L be there in like 7 min.” At

approximately 6:58 p.m., LIPTON texted MARTINEZ again, “Here.” and then “Where u at?” At approximately 7:01 p.m., MARTINEZ texted LIPTON, “Meet on n9 n roebling” “2 min.” LIPTON responded by text, “K.” Based on my training, experience and participation in the investigation, I believe that in these texts, LIPTON conveyed her location information to MARTINEZ as she traveled to meet up with him. She specifically indicated that she was taking the “L,” which is a subway train that I know travels into MARTINEZ’s neighborhood in Williamsburg, Brooklyn. MARTINEZ then requested that LIPTON meet him at North Ninth Street and Roebling, an intersection that I know is located in Williamsburg, close to MARTINEZ’s residence. Following these text messages, based on my training, experience and participation in the investigation, I believe that LIPTON and MARTINEZ met up at the indicated location so that MARTINEZ could provide the narcotics to LIPTON.

39. LIPTON and MARTINEZ exchanged similar intercepted text messages on November 7, 2018, on which LIPTON sent MARTINEZ several inquiries about when he would be around, or when he could meet up. At approximately 4:05 p.m., MARTINEZ texted LIPTON that he could see her “At 7.” LIPTON texted back, on intercepted messages, “Ok I’ll be there then” “If can be right at 7 I’d appreciate cuz gonna be late for class. Thnx.” MARTINEZ texted LIPTON back, “K wat I bring” and LIPTON responded by text, “14.” Then, at approximately 6:53 p.m., LIPTON texted MARTINEZ, “On a L be there in like 7 min,” “Here” “U far?” At approximately 7 p.m., MARTINEZ texted LIPTON, “5 min” and directed LIPTON to go to “Roebling and 10th.” At approximately 7:05 p.m., LIPTON texted MARTINEZ, “K here.” Based on my training, experience and participation in the

investigation, I believe that in these texts, LIPTON again conveyed her location information to MARTINEZ as she traveled to meet up with him. She again indicated that she was taking the L train. MARTINEZ again requested that LIPTON meet him at Roebling, near MARTINEZ's residence. Following these text messages, based on my training, experience and participation in the investigation, I believe that LIPTON and MARTINEZ met up at the appointed location so that MARTINEZ could provide the heroin to LIPTON.

40. Similarly, on November 9, 2018, LIPTON ordered a quantity of "34" from MARTINEZ by text message, and MARTINEZ requested to meet at 12:40 p.m. At approximately 12:42 p.m., LIPTON texted MARTINEZ, "On L be there in bout 5," and then texted, "Here." On November 12, 2018, LIPTON ordered a quantity of "30" and agreed to meet MARTINEZ at 1 p.m. LIPTON specified to MARTINEZ, "I still prefer old kind if u have tho. Thnx." At approximately 1:14 p.m., LIPTON texted MARTINEZ "On L. Be there soon." Approximately ten minutes later, LIPTON called MARTINEZ in an attempt to locate him. Law enforcement conducting surveillance subsequently observed LIPTON and MARTINEZ meeting in Williamsburg, Brooklyn on November 12, at which time there is probable cause to believe a narcotics transaction took place. Based on my training, experience and participation in the investigation, I believe that on each of these dates MARTINEZ provided LIPTON with the heroin in the amounts she had requested upon her arrival to Brooklyn.

41. The pattern of other intercepted communication between LIPTON and MARTINEZ establishes that they corresponded often regarding narcotics transactions.

Additionally, according to pen register data, LIPTON has been in contact with MARTINEZ over 1,100 times during the charged conspiracy time period, which contact I believe to be narcotics-related based on intercepted communications. According to pen register data and intercepted communications, LIPTON was also historically in contact with CRUZ to obtain narcotics; they had nearly 100 points of contact during the charged conspiracy timeframe. In light of the amounts of heroin LIPTON discussed obtaining, the access she knew her suppliers (CRUZ and MARTINEZ) had to heroin, the amounts she actually obtained according to surveillance and intercepted communications, as well as the frequency of her contact with CRUZ and MARTINEZ, there is probable cause to believe that LIPTON was involved in at least a several month conspiracy to possess with intent to distribute heroin.

* * *

42. Intercepted calls, surveillance and corroborating evidence establish that ROBERT MARTINEZ, also known as “Rob,” VICTOR CRUZ, also known as “Vic” and “VI,” JEFFREY CAAMANO, also known as “Jefe,” JASON REYES and JASON GARCIA, also known as “Jay,” conspired with each other and with others to possess with intent to distribute at least 1 kilogram of heroin over the course of the conspiracy. Intercepted calls, surveillance and corroborating evidence also establish that MIA LIPTON and ALANNA KELLY conspired with others to possess with intent to distribute at least 100 grams of heroin over the course of the conspiracy.

* * *

It is respectfully requested that this Court seal all papers submitted in support of this application for an arrest warrant. Sealing is necessary because, given the confidential nature of this investigation, disclosure would severely jeopardize the investigation in that it might alert the targets of the investigation to the existence of an investigation and likely lead to the destruction and concealment of evidence and flight of the targets.

WHEREFORE, your deponent respectfully requests that the defendants, ROBERT MARTINEZ, also known as “Rob,” VICTOR CRUZ, also known as “Vic” and “VI,” JEFFREY CAAMANO, also known as “Jefe,” JASON REYES, JASON GARCIA, also known as “Jay,” MIA LIPTON and ALANNA KELLY, be dealt with according to law.

Kevin Silbaugh
Special Agent
Federal Bureau of Investigation

Sworn to before me this
__ day of November, 2018

THE HONORABLE ROBERT M. LEVY
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK