

SD:PJB
F. #2018R01124/OCDETF#NY-NYE-849

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

RAHMEL SMITH,
also known as "Mello,"
SHAKIM CARR,
also known as "Sha,"
MICHAEL MARTIN,
also known as "Scooter"
JAMEL ALDRIDGE,
also known as "Vooks,"
TIFFANY LANIER,
SHAKAYNA WHEELER, and
SHAWN TAYLOR,

ARREST WARRANT AND
COMPLAINT

(T. 21 U.S.C. §§ 846, 841(b)(1)(A)(iv),
841(b)(1)(C); T. 18 U.S.C. § 922(o)

19-MJ-137

TO BE FILED UNDER SEAL

Defendants.

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EASTERN DISTRICT OF NEW YORK, SS:

NEAL MAXSON, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation, duly appointed according to law and acting as such.

On or about and between May 2018 and February 2019, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant RAHMEL SMITH, also known as "Mello," SHAKIM CARR, also known as "Sha," MICHAEL MARTIN, also known as "Scooter," JAMEL ALDRIDGE, also known as "Vooks," TIFFANY LANIER, and SHAKAYNA WHEELER, together with others, did

knowingly and intentionally conspire to distribute and possess with intent to distribute a controlled substance, which offense involved a substance containing cocaine base, a Schedule II controlled substance, heroin, a Schedule I controlled substance, and marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 846. The amount of cocaine base involved in the conspiracy attributable to defendant SMITH as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, was 280 grams or more of a substance containing cocaine base.

(Title 21, United States Code, Sections 846, 841(b)(1)(A)(iii), 841(b)(1)(C))

On or about December 21, 2018, within the Eastern District of New York and elsewhere, the defendants RAHMEL SMITH and SHAWN TAYLOR, together with others, did knowingly and intentionally possess and transfer a machine gun, to wit a Romarm/Cugir rifle, commonly referred to as an AK-47, in violation of 18 U.S.C. Section 922(o).

(Title 18, United States Code, Section 922(o))

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

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI") and have been involved in the investigation of numerous cases involving narcotics and gun trafficking offenses, including, among other things, the use of confidential informants and undercover agents, the execution of search warrants, the interrogation of suspects, and the

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.

seizure of firearms and narcotics. I am familiar with the facts and circumstances set forth below from my participation in the investigation, my review of the investigative file, and from reports of other law enforcement officers involved in the investigation.

2. Since 2017, the FBI has been investigating a violent gang known as the Eight Trey Cowboy Crips that operates in Flatbush, Brooklyn, New York and RAHMEL SMITH (“SMITH”), a narcotics trafficker who is one of the gang’s leaders.

NARCOTICS PURCHASES FROM SMITH

3. On May 10, 2018, a confidential informant (“CI”)² was introduced to SMITH. The CI purchased four bags of cocaine base from SMITH. SMITH then provided the CI with SMITH’s telephone number. Between May 10, 2018 and December 18, 2018, law enforcement officers conducted twelve controlled narcotics purchases between CI and SMITH.³ Each transaction was arranged over SMITH’s telephone number, by voice calls

² The CI has been a reliable source of information and has been cooperative in other FBI investigations into narcotics offenses. From 1975 through 1996, the CI was convicted of three misdemeanors and two felonies in New York State. In 2012, the CI was convicted of one misdemeanor. So far in this investigation, the CI has been paid \$6200 by the FBI.

³ Investigating agents used the following procedures in conducting the controlled purchases described herein. Investigating agents first meet with the CI, and conduct a pat-down search and vehicle search to ensure that the CI does not have narcotics or firearms on his/her person. The investigating agents then give the CI a sum of United States currency to purchase narcotics. Law enforcement officers then conduct surveillance in the general vicinity of the location where the CI purchases narcotics. After the CI purchases narcotics, he/she then contacts law enforcement officers to confirm that a transaction has been consummated. Law enforcement officers then observe the CI depart from the general vicinity of the area where he/she purchases narcotics and meet him/her at a pre-designated location. Upon meeting at the pre-designated location, law enforcement officers collect narcotics from the CI, and then conduct a pat-down search to determine whether the CI is in possession of any additional narcotics or money.

and/or text messages. Over that time period, the CI purchased approximately 300 grams of cocaine base from SMITH.⁴

4. On November 21, 2018, the Honorable Pamela K. Chen, United States District Court Judge in the Eastern District of New York, signed an order authorizing the interception of wire and electronic communications over the telephone of SMITH. The order was reauthorized on December 21, 2018 and January 18, 2019 by the Honorable Ann M. Donnelly, United States District Court Judge in the Eastern District of New York (collectively, the “Smith Wire”).

THE EIGHT TREY COWBOY CRIPS

5. Over the course of the Smith Wire, agents intercepted calls related to the Eight Trey Cowboy Crips from SMITH, MARTIN, ALDRIDGE, and others, including calls about gang meetings, violence against rival gang members, and punishment for gang members not following the rules of the gang.

OTHER MEMBERS OF THE NARCOTICS CONSPIRACY

6. The interceptions from the Smith Wire revealed that several individuals are involved in the narcotics conspiracy with SMITH.

Shakim Carr

7. In their monitoring of the Smith Wire, agents believe that SHAKIM CARR (“CARR”) is the main distributor for SMITH in the narcotics conspiracy. During the pendency of the Smith Wire, agents have intercepted multiple calls a week in which CARR and SMITH discuss narcotics distribution. Based on wire interceptions, agents believe

⁴ All these transactions were audio and video recorded.

CARR's role in the narcotics trafficking organization includes delivering the narcotics, accepting money for the narcotics, and paying SMITH for the narcotics.

8. For example, on December 16, 2019 at approximately 8:18 p.m., agents intercepted a call on the Smith Wire between SMITH⁵ and CARR:⁶

SMITH: Yo.
 CARR: You around?
 SMITH: Yeah.
 CARR: Um, you got pieces?
 SMITH: Um I got probably two balls and like three halves or two halves.
 CARR: Alright (inaudible).
 SMITH: Alright bet, want me to shoot over there, I got to shoot over there and T-Bone called me for four.
 CARR: Yeah checkin' right now but he just called me just now I'm doing something.
 SMITH: Where you at? You take the (inaudible)?
 CARR: Nah, nah uh.
 SMITH: Alright, you good, you good, yeah is shit wet.
 CARR: Nah, nah, nah, I'm just doing some other things, I'm about to go take the kids out to eat. I'll be back.
 SMITH: Oh, okay, okay, alright, love, love and peace.
 CARR: Alright boy.
 SMITH: Love and peace and blessing.

9. Based upon their training, experience, and knowledge of the investigation, agents believe that CARR is asking SMITH if SMITH has a small quantity of crack-cocaine which CARR says "pieces." When SMITH tells CARR that SMITH has "two balls," agents believe SMITH is referring to eight balls, street slang for 1/8 of an ounce of

⁵ All transcripts set forth herein are draft transcripts, subject to revision and correction.

⁶ A law enforcement agent called CARR's phone on January 11, 2019, and observed CARR answer it.

cocaine base or powdered cocaine. Agents believe that “T-Bone,” is a reference to a customer.

10. For example, on January 17, 2019, at approximately 3:31 p.m., agents intercepted a call on the Smith Wire between SMITH and CARR:

SMITH: Yo what's poppin crackin crackin poppin?
CARR: Yo what's poppin crazy?
SMITH: What's crackin?
CARR: Yo you said you was ready?
SMITH: I told you I'll be ready by Monday.
CARR: On Monday?
SMITH: You didn't hear none of that? We had that whole conversation.
CARR: Yeah, I heard it I heard it.
SMITH: I told him he had to wait.
CARR: Alright.
SMITH: He had to wait. I told him after Monday I'll holla at him.
CARR: Aight.
SMITH: I still got four bins and that's a lot of profit right there, too. You got three so you do one come back for two weeks.
CARR: Yeah he said I mean I was going to call him, I just don't want to call him. That's what he told me. I didn't hear the story. I know he probably trying to call me but he don't have my new number yet.
SMITH: So that means he coming back next week right?
CARR: Yeah I'm assuming. He said two weeks.
SMITH: Yeah. I'm out here this weekend.
CARR: Alright.
SMITH: Finish this bullshit out. I'll be ready. I still have to call, you know me. On Friday's I run down niggas for that. I think I got carpal tunnel.
CARR: What in your wrist?
SMITH: My fingers. My first finger, the one next my index finger. Shit gettin outta control. Where you at now?
CARR: At the candy store.
SMITH: I'm about to head out there. I'mma go to the crib and grab some more DL and make like two or three stops.
CARR: Alright.
SMITH: Let me know if anyone need any zips and some sour.
CARR: Got you.
SMITH: Zips for 150 and I got some halves for 80.
CARR: Alright bro.
SMITH: I'll be out there just now thought.

11. Based upon their training, experience and knowledge of the investigation, agents believe that during this exchange, when SMITH told CARR that he still has “four bins,” and “that’s a lot for profit,” SMITH is telling CARR that SMITH has a large quantity of narcotics on hand worth a considerable amount of money. Agents believe that when SMITH told CARR that SMITH is about to grab some more “DL,” SMITH is telling CARR that SMITH is getting heroin, because “D” or “DL” is short for Dog Food, street slang for heroin. Later in the call, agents believe SMITH gave CARR the prices for the sale of narcotics “Zips for 150...halves for 80.”

Michael Martin

12. Since January 2019, during their monitoring of the Smith Wire, agents have heard SMITH and MICHAEL MARTIN (“MARTIN”) discussing the narcotics conspiracy and gang activity on multiple occasions. Based on wire interceptions, agents believe that MARTIN is a member of the Eight Try Cowboy Crips and that MARTIN’s role in the narcotics trafficking organization includes delivering the narcotics, accepting money for the narcotics, and paying SMITH for the narcotics.

13. For example, on January 2, 2019, at approximately 9:53 p.m., agents intercepted the following telephone conversation on the Smith Wire between SMITH and MARTIN:⁷

MARTIN: What's moving?
SMITH: Same shit.
MARTIN: Where you at?
SMITH: In the crib about to get up.

⁷ Law enforcement officers obtained MARTIN’s phone number from a complaint report MARTIN filed with the New York City Police Department (“NYPD”) on January 11, 2019 alleging that someone caused damage to MARTIN’s car.

MARTIN: I wanna come holla at you real quick. I need some more bud.

SMITH: Alright.

MARTIN: You gonna give me that shit you have, the new shit?

SMITH: Yeah, I got you. I already got rid the old shit.

MARTIN: Alright, yo fucking just give me, just give me uh, just give me two zips. I'mma give you cause I haven't really been on the block cause (inaudible) been sick but I only got a few bags left. I got 260 for you right now though.

SMITH: Just add the 40 onto the next bill. I got you.

MARTIN: Nah the 40 (inaudible).

SMITH: I ain't stressing man. Just get your numbers man.

MARTIN: Alright I'll see you over there in a second. I'll call you when I'm downstairs.

SMITH: Where you at now?

MARTIN: I'm on Ocean and Church.

SMITH: Alright, so just sit there for a little bit and get rid of what you get, and I'm about to get up, jump in the shower and all that, and I'll pass through there and drop that off to you.

MARTIN: Alright cool, I'm gonna be right here.

14. Based on their training, experience and knowledge of the investigation, agents believe that during this exchange, SMITH and MARTIN are discussing a deal which SMITH provides MARTIN narcotics for MARTIN to sell on the street. When MARTIN told SMITH to give MARTIN “two zips,” MARTIN is asking for a small quantity of narcotics to sell on the street. When MARTIN told SMITH that MARTIN has “260” for SMITH right now, MARTIN is referring to money MARTIN made selling narcotics that SMITH provided for MARTIN. When SMITH tells MARTIN, “Just get your numbers man,” SMITH is telling MARTIN that MARTIN can give SMITH the 40 dollars MARTIN owes SMITH later, as long as MARTIN continues to sell for SMITH.

15. For example, on January 7, 2019 at approximately 1:50 p.m., agents intercepted a call over the Smith Wire between SMITH and MARTIN:

MARTIN: Yo, yo son.

SMITH: You still on Ocean?

MARTIN: Yeah.
 SMITH: Yo you saw Vook⁸ out there?
 MARTIN: No, Vook not out here, I ain't seen him all day.
 SMITH: Yeah, I'm short 500, if I come up with five. I'm trying to grab everything I could from niggas.
 MARTIN: Nah he said he said he got he got some bread for you man.
 SMITH: I know, I know that but I'm still gonna be short after that and then nobody want to be sitting there empty with nothing. I gotta give this nigga 19, you know I don't like owing this nigga.
 MARTIN: Yeah I know.
 SMITH: Niggas they be fending, so I told him, I told nigga I'm at work, I told him I get off by around six, told him anywhere between six and seven I told him I'd have it. But I got like fourteen, I gotta come out with an extra 500 for the nigga..
 MARTIN: But I'm gonna see (inaudible) for you, cause he told me he had some money for you.
 SMITH: Yeah he got three.

16. Based upon their training, experience, and knowledge of the investigation, agents believe that SMITH is telling MARTIN that ALDRIDGE, also known as “Vook,” owes SMITH money and that SMITH needs to add to a pool of money, probably from other narcotics sales. Agents also believe that in this call, SMITH tells MARTIN that SMITH needs to go purchase a large quantity of narcotics from a supplier so that SMITH can sell more narcotics. Agents further believe that towards the end of the call when MARTIN tells SMITH that MARTIN is going to see (inaudible) for SMITH, MARTIN is telling SMITH that MARTIN will try and get the money for him.

Jamel Aldridge

17. Since January 2019, during their monitoring of the Smith Wire, agents have heard SMITH and JAMEL ALDRIDGE⁹ (“ALDRIDGE”) using gang coded language

⁸ “Vook” is a nickname for JAMEL ALDRIDGE.

⁹ A law enforcement agent called ALDRIDGE’s phone on January 22, 2019, and other officers observed ALDRIDGE answer the call.

and discussing the narcotics conspiracy. Based on wire interceptions, agents believe that ALDRIDGE is an Eight Trey Cowboy Crip, and that ALDRIDGE's role in the narcotics trafficking organization includes delivering the narcotics, accepting money for the narcotics, and paying SMITH for the narcotics.

18. For example, on January 11, 2019 at approximately 6:25 p.m., agents intercepted the following conversation from the Smith Wire between ALDRIDGE and SMITH:

ALDRIDGE: What's moving?
 SMITH: Same shit, what's the word?
 ALDRIDGE: I'm on Ocean right now
 SMITH: How far away are you think?
 ALDRIDGE: I got like one and a half right now. I just came out.
 SMITH: We at four.
 ALDRIDGE: Yeah, yeah, four today we doing more shit after tonight but after today I made your number.
 SMITH: I ain't gonna sweat you think you got anywhere around like two cause I could wait for the rest tomorrow, but at least I could see if...
 ALDRIDGE: I could give you two. Give me like 10, 15 minutes. I got like one. I'm close to two right now so just give me like another sale.
 SMITH: I'm gonna try and give him that and see if he'll take the under.
 ALDRIDGE: I'm close to the two.
 SMITH: Is Scooter¹⁰ out there?
 ALDRIDGE: Nah, he was here he spent out.

19. Based on the agents' training, experience, and knowledge of the investigation, agents believe that when ALDRIDGE tells SMITH that ALDRIDGE is at "one and a half," ALDRIDGE is telling SMITH that ALDRIDGE has about 150 dollars. ALDRIDGE told SMITH that he has 100 dollars to give to SMITH from sales ALDRIDGE

¹⁰ "Scooter" is a nickname for MICHAEL MARTIN.

made selling narcotics for SMITH at the moment, but if ALDRIDGE can make another sale, ALDRIDGE could give 200 dollars to SMITH. When SMITH tells ALDRIDGE “we at 4,” SMITH is telling ALDRIDGE that SMITH has already collected 400 dollars from other dealers.

20. For example, on January 19, 2019 at approximately 9:51 p.m., agents intercepted a call between SMITH and ALDRIDGE:

SMITH: Yo cuz.
 ALDRIDGE: What’s moving?
 SMITH: Ain’t shit. What’s the word?
 ALDRIDGE: Ain’t shit. I got like 250 right now homie.
 SMITH: Well I’m about to come just snatch that and give you these two.
 ALDRIDGE: Alright.
 SMITH: Just keep the rest on the back end.
 ALDRIDGE: I got you, I could probably give it back to you tonight or tomorrow. When you coming back you going to the shit?
 SMITH: Yeah I think I’m gonna go.
 ALDRIDGE: Alright I gotta see I don’t know. I gotta ask my girl.
 SMITH: Alright.
 ALDRIDGE: Alright.

21. Based upon their training, experience, and knowledge of the investigation, agents believe that ALDRIDGE is telling SMITH that ALDRIDGE has about 250 dollars to give SMITH from sales ALDRIDGE made for SMITH. When SMITH tells ALDRIDGE that SMITH is going to “come just snatch that and give you these two,” agents believe that SMITH is telling ALDRIDGE that SMITH is coming to collect the 250 dollars from ALDRIDGE and SMITH will give ALDRIDGE more narcotics to sell.

Tiffany Lanier

22. During the monitoring of the Smith Wire, agents have heard SMITH and TIFFANY LANIER (“LANIER”) discussing the narcotics conspiracy multiple times a

week for the entire pendency of the Smith Wire. Based on wire interceptions, agents believe LANIER's role in the narcotics trafficking organization includes preparing the narcotics, packaging the narcotics, delivering the narcotics to costumers, accepting money for the narcotics, and holding the narcotics at her residence.

23. For example, on January 22, 2019, agents intercepted a telephone conversation between SMITH and LANIER:¹¹

LANIER: Hello?
 SMITH: Yeah babe if you feel like it I just saw him I think going to the store he's probably gettin' change off his card.
 LANIER: Ugh hmm.
 SMITH: If you feel like it, call him and tell him if he got come with 150 you'll make it for him and just take 15 dimes open it and just put it in one bag by itself.
 LANIER: Ugh hmm.
 SMITH: And that's 150 right there, fuck it since he want it get the money anyways fuck it.
 LANIER: Ugh hmm.
 SMITH: Aight?
 LANIER: Yep.
 SMITH: 'cause he don't wanna lose your thing.
 LANIER: Okay.
 SMITH: Aight so he by the store you wanna call him and deal with that that's up to you babe.
 LANIER: Aight
 SMITH: I ain't got nooo soap. I have to go. I'm not going to be able to get that get that from P-Funk until tomorrow sooo...
 LANIER: Aight.
 SMITH: So that clientele so I'm about to lose it.
 LANIER: Aight.

24. Based upon the agents' training, experience, and knowledge of the investigation, agents believe that SMITH told LANIER to break open 15 dime bags of either

¹¹ LANIER's phone number is subscribed in her name.

heroin or cocaine base to combine into one bag for sale to a customer who had \$150 ready and was at the store, and directing LANIER to make the exchange.

25. During two phone calls intercepted on January 27, 2019 at approximately 10:40 a.m. and 11:03 a.m. over the Smith Wire, a regular customer of SMITH's, identified by agents as "ROMAN LNU," asks to buy "four," indicating a small quantity of heroin. SMITH then directs him to 58 Argyle, the address of Tiffany Lanier's building.¹²

26. Two minutes after that conversation with ROMAN LNU, SMITH calls LANIER and tells her to "go downstairs, four D, the buyer want four D," to which LANIER replies "Alright."

27. Based upon the agents' training, experience, and knowledge of the investigation, agents believe that SMITH directed ROMAN LNU to LANIER's building and instructed LANIER to exit her building and give ROMAN LNU heroin. "D" is short for "dog food," a common slang term for heroin.

28. During the course of the Smith Wire, SMITH has directed narcotics customers to 58 ARGYLE approximately five times.

Shakayna Wheeler

29. In their monitoring of the wiretap, agents have heard SMITH and SHAKAYNA WHEELER ("WHEELER") discussing the narcotics conspiracy multiple times a week during the entire pendency of the Smith Wire. Based on wire interceptions,

¹² A query of the New York State Department of Motor Vehicles revealed that LANIER listed an apartment at 58 Argyle as her home address. Moreover, on February 11, 2019, law enforcement officers went to an apartment in 58 Argyle, knocked on the door, and LANIER answered.

agents believe WHEELER's role in the narcotics trafficking organization includes preparing the narcotics, packaging the narcotics, delivering the narcotics to customers, accepting money for the narcotics, and holding the narcotics at her residence.

30. For example, on December 7, 2018, at approximately 2:46 p.m., agents intercepted a telephone conversation between SMITH and WHEELER:¹³

SMITH: How many halves did I leave in there? I left 4 halves in there right?
WHEELER: Hold on (talks to person in the background)...you had 3, 4. You hear me?
SMITH: You wanna bag em up?
WHEELER: You have four.
SMITH: You want to bag them up?
WHEELER: Four?
SMITH: Yeah.
WHEELER: Alright.

31. Based on their training, experience, and knowledge of the investigation, case agents believe that SMITH is confirming with WHEELER how much marijuana SMITH has left and asks her to bag it up for him so he can sell it. "Halves" refers to a half ounce of marijuana.

32. During a phone call intercepted on February 10, 2019, at approximately 3:32 p.m. over the Smith Wire, an individual identified by agents as "UM 101," asks if SMITH has any "rock," indicating that he wants to purchase heroin. SMITH tells UM 101, "Nah, I'm not over there. You want some you gotta go to the green door. Get it from my baby moms."¹⁴

¹³ WHEELER's phone number is subscribed in her name.

¹⁴ During their monitoring of the Smith Wire, agents have heard WHEELER refer to a child as "your daughter" to SMITH, implying that SMITH is the parent of WHEELER's child.

33. During a phone call intercepted on the same day at 5:06 p.m., UM 101 tells SMITH that UM 101 is “in the area” and SMITH tells him, “Alright though, you gotta go by the green door, bro, what do you want?” UM 101 and SMITH then discuss the price and quantity of the heroin that UM 101 wants to buy. UM 101 tells SMITH he will be there in “ten minutes.”

34. Three minutes after that conversation with UM 101, SMITH calls WHEELER:

WHEELER: Hello?

SMITH: Hello?

WHEELER: Yeah.

SMITH: You in the crib?

WHEELER: In the building?

SMITH: Alright well take four D out, (inaudible) should be there in 10 minutes.

WHEELER: Huh?

SMITH: Can you take out like four “D” (inaudible) should be there in like 10 minutes.

35. Approximately eight minutes later, UM 101 calls SMITH and tells SMITH, “Yo I’m here, bro.”

36. Immediately after that call, SMITH calls WHEELER:

WHEELER: Hello?

SMITH: Yeah, take down three, he there.

WHEELER: Alright.

37. Based upon the agents’ training, experience, and knowledge of the investigation, agents believe that SMITH directed UM 101 to WHEELER’s building¹⁵ to

¹⁵ An e-Justice query revealed that WHEELER listed her home address as 325 East 21st Street, which agents have observed has a green door.

buy heroin and then instructed WHEELER to make the exchange with UM 101. “D” is short for “dog food,” a common slang term for heroin.

38. During the course of the Smith Wire, SMITH has directed narcotics customers to 325 East 21st Street or “the green door” multiple times a week.

39. The agents have observed the front door to 325 East 21st Street which is green.

40. Additionally, during the Smith Wire, agents conducted surveillance of SMITH, and on approximately fifteen times, agents observed SMITH near the building located at 325 East 21st Street.

FIREARMS

41. As part of the above-mentioned investigation, in December 2018, the previously mentioned CI working with the FBI agreed to purchase two firearms from SMITH in a series of phone calls. SMITH used his cell phone to make and receive these phone calls, which the FBI intercepted. The CI and SMITH agreed that the purchase of the firearms would occur on December 21, 2018.

42. On December 20, 2018, FBI agents intercepted a phone call on the Smith Wire of SHAWN TAYLOR’s (“TAYLOR”) cell phone.¹⁶ On the call, SMITH and TAYLOR discuss, in sum and substance, the sale of a “streetsweeper” by TAYLOR to SMITH. In my training and experience, I know that “streetsweeper” is a common nickname for a fully semi-automatic shotgun. On this phone call, TAYLOR further states, in sum and

¹⁶ The cell phone is known to be used by TAYLOR through a government assistance program database.

substance, that the firearm has two clips and 1,500 rounds and can pierce armor. In another phone call later the same day, TAYLOR and SMITH confirm that TAYLOR will have the firearms ready for sale the next day by noon.

43. Prior to noon on December 21, 2018, FBI agents intercepted phones calls on the Smith Wire of an uncharged individual's ("UI") cell phone.¹⁷ On these calls, SMITH indicates to the UI that TAYLOR called SMITH to ask if the UI could give TAYLOR a ride. In a subsequent call, the UI confirms that he will give TAYLOR a ride.

44. Also prior to noon on December 21, 2018, FBI agents intercepted phone calls on the Smith Wire of TAYLOR's cell phone. On these phone calls, SMITH and TAYLOR discuss the forthcoming firearms sale and SMITH indicates that the UI will call TAYLOR. In a subsequent call, TAYLOR indicates to SMITH, in sum and substance, that he is waiting on the UI in order to leave.

45. On December 21, 2018, the CI exchanged a series of phone calls with SMITH to coordinate the firearms sale. After SMITH indicated to the CI that the individuals bringing the firearms were en route, the CI traveled to meet SMITH. At that meeting, the CI gave SMITH money for the firearms and SMITH told the CI he would be back. When both individuals, later identified by the FBI as TAYLOR and the UI, arrived at the meeting location, FBI agents observed SMITH and the two other individuals enter a building. One of the individuals was carrying several packages. Shortly thereafter, FBI agents observed the two individuals leave the building empty handed. Afterwards, SMITH

¹⁷ The cell phone is known to be used by the UI through a New York City Police Department database.

left the building and was holding the packages. Subsequently, the CI observed the two individuals splitting up money and then leaving the location in a blue Porsche SUV¹⁸ then SMITH returned to the CI and provided three packages to the CI who then provided it to the FBI.¹⁹ FBI agents confirmed the packages contained an AK-47 rifle,²⁰ ammunition, and a .25 caliber pistol.

46. On December 21, 2018, after the firearms sale, SMITH was intercepted on the Smith Wire speaking with the UI on the UI's cell phone. SMITH indicated, in sum and substance, that he tried to call another individual and the UI responded that the other individual, presumably TAYLOR, was driving. The UI and SMITH then coordinated when and where all three individuals would meet later that day.

REQUEST FOR SEALING

47. 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

¹⁸ FBI agents confirmed that on November 23, 2018, the New York City Police Department stopped BERTRAND for a traffic violation while he was driving the same blue Porsche SUV.

¹⁹ The CI's encounter with Smith was audio and video recorded. TAYLOR's and the UI's presence at the firearms sale was also video recorded.

²⁰ An AK-47 is a "machinegun" as defined in 18 U.S.C. § 922(o).

RAHMEL SMITH, also known as “Mello,” SHAKIM CARR, also known as “Sha,”
MICHAEL MARTIN, also known as “Scooter,” JAMEL ALDRIDGE, also known as
“Vooks,” TIFFANY LANIER, SHAKAYNA WHEELER, and SHAWN TAYLOR be dealt
with according to law.

NEAL MAXSON
Special Agent, Federal Bureau of Investigation

Sworn to before me this
13th day of February, 2019

THE HONORABLE STEVEN M. GOLD
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK