

MPR:TJS
F. #2018R00317

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

COMPLAINT

- against -

19-MJ-427

STEVEN BYNUM,

(18 U.S.C. § 36, 924(c)(1)(A)(i)
and 924(c)(1)(A)(iii))

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

AYESHA WINSTON, being duly sworn, deposes and states that he/she is a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives, duly appointed according to law and acting as such.

On or about September 10, 2017, within the Eastern District of New York, the defendant STEVEN BYNUM, in furtherance of a major drug offense, to wit: conspiracy to distribute a controlled substance contrary to 21 U.S.C. § 846, with the intent to intimidate, harass, injure, or maim, fired a weapon into a group of two or more persons, and, in the course of such conduct, caused grave risk to human life.

(Title 18, United States Code, Section 36)

On or about September 10, 2017, within the Eastern District of New York, the defendant STEVEN BYNUM did knowingly and intentionally use and carry one or more firearms during and in relation to a crime of violence, to wit: a violation of 18 U.S.C. § 36,

and did knowingly and intentionally possess such firearms in furtherance of that crime of violence, one or more of which firearms were discharged.

(Title 18, United States Code, Sections 924(c)(1)(A)(i) and 924(c)(1)(A)(iii))

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

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") and have been involved in the investigation of numerous cases involving shootings and drug-related violence. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. On September 10, 2017 at approximately 12:40 p.m., a silver Nissan Altima ("silver Altima") pulled in front of 2065 Dean Street, Brooklyn, New York. Multiple witnesses stated that the driver slowed the car and fired approximately two shots towards a group of people standing on the sidewalk, striking a five-month pregnant victim in the head. The driver then sped off. The shooting was captured in part by a video surveillance camera.

3. Detectives of the New York City Police Department ("NYPD") were able to obtain video surveillance from the area around Dean Street, Brooklyn. Video surveillance shows that, earlier on September 10, 2017, an individual who appears to be

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.

STEVEN BYNUM got into the silver Altima, which was parked on Bergen Street near Rochester Street in Brooklyn, New York. Cameras throughout the neighborhood captured the car being driven to the vicinity of 2065 Dean Street, where it circled the block once before the shooting.

4. Cameras then captured the silver Altima fleeing the location and making several turns before pulling in front of a New York City Bus. The bus was equipped with a forward facing camera that captured the license plate of the silver Altima as 1D40E0.

5. A database search revealed that the car was owned by Enterprise Rent-A-Car, a rental car company. Documents obtained from Enterprise established that the car was rented by Charlene Murdaugh on August 28, 2017 and returned on September 10, 2017 at about 3:17 p.m.—approximately three hours after the shooting. Video cameras located at Enterprise’s location near John F. Kennedy Airport showed that, on September 10, 2017, Charlene Murdaugh returned the car with someone who can clearly be identified as STEVEN BYNUM—based on comparison with the video and BYNUM’s rap sheet photograph. BYNUM is also wearing the same green shirt as he was when he was recorded getting into the car prior to the shooting.

6. A cooperating witness (“CW”) who was present at the time of the shooting stated that she/he observed BYNUM, who she/he knew as “Nitty,” shoot approximately two shots at several people standing on the sidewalk on Dean Street.² The CW stated that BYNUM was attempting to murder one of the individuals other than the

² The CW was convicted of Hobbs Act robbery conspiracy, Hobbs Act robbery, and use of a firearm in connection with those crimes. He/she is cooperating in the hopes of leniency in that case.

victim because of an altercation over drugs. Specifically, the CW stated that BYNUM and a co-conspirator had stolen approximately three ounces of heroin and one ounce of cocaine that the intended victim had provided to a third-party to sell. The CW stated that BYNUM and his co-conspirator had sold the drugs. The CW stated that the intended victim had approached BYNUM and demanded money for the drugs. BYNUM refused. On a subsequent occasion, the intended victim assaulted BYNUM with a handgun in retaliation. NYPD Detectives showed the CW a photo array containing a photograph of BYNUM. The CW identified BYNUM as the person she/he knew as "Nitty" and as the person who had shot the victim on September 10, 2018.

WHEREFORE, your deponent respectfully requests that the defendant STEVEN BYNUM, be dealt with according to law.



AYESHA WINSTON
Special Agent, Bureau of Alcohol, Tobacco,
Firearms, and Explosives

Sworn to before me this
7th day of May, 2019



THE HONORABLE PEGGY KUO
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK