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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

PAOLO ALFARO BARBER,

Defendant.

COMPLAINT

(T. 18, U.S.C., § 922(g)(1))

20-MJ-642

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EASTERN DISTRICT OF NEW YORK, SS

WENDELL STRADFORD, being duly sworn, deposes and states that he is a Detective with the New York City Police Department (“NYPD”), duly appointed according to law and acting as such.

Upon information and belief, on or about August 6, 2020, within the Eastern District of New York, the defendant PAOLO ALFARO BARBER, knowing that he had previously been convicted in a court of one or more crimes punishable by a term of imprisonment exceeding one year, did knowingly and intentionally possess in and affecting commerce a firearm, to wit: a Taurus .38 caliber revolver bearing serial number ABD524287.

(Title 18, United States Code, Section 922(g)(1))

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

I am a Special Deputy United States Marshal with the United States Attorney's Office, Eastern District of New York. I am also a Detective with the New York City Police Department ("NYPD") and have been so employed for approximately 30 years. Through my training, education and experience, I have become familiar with the manner in which narcotics distribution, robberies, firearms trafficking and other schemes are carried out, and the efforts of persons involved in such activity to avoid detection by law enforcement.

1. I am familiar with the facts and circumstances set forth below from my personal involvement in this investigation, my review of documents, records and reports, and from reports made to me by other law enforcement officers and personnel. Where I describe the statements of others, I am doing so only in sum and substance and in part.

2. On or about August 6, 2020, at approximately 12:37 p.m., Officer-1 and Officer-2² of the NYPD approached the defendant PAOLO ALFARO BARBER in front of 2501 Newkirk Avenue in Brooklyn, New York. Officer -1 and Officer-2 had viewed a video surveillance camera trained on that location from a precinct. On the video, Officer-1

¹ Because this affidavit is being submitted for the limited purpose of establishing probable cause to arrest, I have not set forth each and every fact I have learned during the course of this investigation.

² Because multiple law enforcement personnel were involved in the incident, I refer to the officers as Officer-1 and Officer-2 for ease of reference. The identities of each of these individuals are known to the affiant, and I have interviewed Officer-1 and Officer -2 about the events set forth herein reviewed video footage of the incident set forth herein from Officer-1 and Officer-2's body worn camera.

and Officer-2 observed the defendant standing on that corner, with a black bag hanging around his neck. Officer -1 and Officer-2 had previously observed the defendant ALFARO BARBER conducting hand to hand transactions (believed to be narcotics sales) at that exact location. On the live feed surveillance camera, Officer-1 and Officer-2 observed an “L” shaped bulge in the bag around the defendant ALFARO BARBER’s neck.

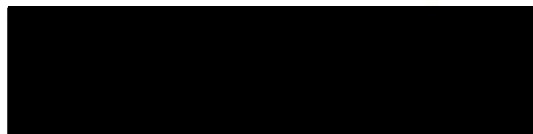
3. The defendant ALFARO BARBER was approached on the street at the above location by Officer-1 and Officer-2, still wearing the black bag around his neck. Officer-1 and Officer-2 observed the outline of a hard “L” shaped object inside the bag. Officer-2 squeezed the outside of the bag and felt what appeared to be a gun inside. The bag was removed from the defendant’s neck and opened. When searched, the black bag was found to contain a Taurus .38 caliber revolver bearing serial number ABD524287, loaded with six rounds of .38 caliber ammunition (“The Firearm”). The defendant ALFARO BARBER also possessed approximately \$477 in cash in his pockets. The defendant ALFARO BARBER later stated, in sum and in substance, after waiving Miranda warnings, that he carries the Firearm because “the block is hot right now. They’re shooting innocent people for no reason.”

4. I have been advised by an agent of the Bureau of Alcohol, Tobacco Firearms and Explosives (“ATF”) that the Firearm was manufactured outside the State of New York, and was reported stolen from the state of Georgia.

5. I have also reviewed the defendant’s criminal history records and have determined that, on or about March 15, 2017 in the Supreme Court of the State of New York, Kings County, the defendant was convicted of Conspiracy in the second degree, in violation

of New York Penal Law § 105.15 a felony punishable by a term of imprisonment of more than one year.

WHEREFORE, your deponent respectfully requests that the defendant PAOLO ALFARO BARBER be dealt with according to law.



WENDELL STRADFORD
Detective

Sworn to before me this
7th day of August, 2020

Steven M. Gold

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