

TJS:ANW  
F.#2015R01260

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

17M306

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UNITED STATES OF AMERICA

FILED UNDER SEAL

- against -

COMPLAINT AND  
AFFIDAVIT IN  
SUPPORT OF  
APPLICATION FOR  
ARREST WARRANT

ROBERT BURGOS and  
VANESSA BURGOS,

Defendants.

(18 U.S.C. § 545)

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EASTERN DISTRICT OF NEW YORK, SS:

THOMAS LORING, being duly sworn, deposes and states that he is a Special Agent with the United State Fish and Wildlife Service, duly appointed according to law and acting as such.

On or about June 11, 2015, within the Eastern District of New York and elsewhere, the defendants ROBERT BURGOS and VANESSA BURGOS did fraudulently, knowingly and intentionally import and bring into the United States prohibited wildlife, to wit: twelve (12) Fischer Lovebirds, which are listed on Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora ("CITES"), and all of which are prohibited from importation without valid permit by the Endangered Species Act, Title 16, United States Code Section 1538(c)(1), and by 50 C.F.R. Parts 14 and 23.

(Title 18, United States Code, Section 545)

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

1. I am a Special Agent with the United States Fish and Wildlife Service ("FWS") and have been employed as a Special Agent since July 2010. I was previously employed with the FWS Division of Refuges as a Law Enforcement Refuge Officer for seven years. I have received specialized training and possess experience in the enforcement of federal laws, including the Lacey Act and the Endangered Species Act. I have participated in numerous federal investigations, either as a case agent/officer or in various support roles, including investigations involving the unlawful smuggling, killing, transport, possession, and sale of wildlife. I have participated in the service of arrest and search warrants.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause to arrest and does not set forth all of my knowledge about this matter. Unless otherwise indicated, statements attributed to individuals in this affidavit are set forth in sum, substance and in part.

I. FEDERAL LAWS RELATING TO TRAFFICKING IN WILDLIFE

3. The FWS enforces several laws and regulations relating to trafficking in wildlife including the Endangered Species Act, Title 16, United States Code, Sections 1538 et seq.; the Convention on International Trade in Endangered Species of Wild Fauna and Flora

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<sup>1</sup> 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.