

UNITED STATES DISTRICT COURT

for the

Middle District of Florida

United States of America
v.
JOSE ANGEL CERRILLO and
MARIA ZACHARIAS

Case No.

8:15MJ1469 MAP

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of Unknown- July 19, 2015 in the county of Hillsborough in the Middle District of Florida, the defendant(s) violated:

Code Section

Offense Description

21 U.S.C. 846
21 U.S.C. 841(a)(1)
21 U.S.C. 841(b)(1)(A)(i)

Conspiracy to possess with intent to ditribute 1 kilogram or more of heroin.

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT AND EXHIBIT A

Continued on the attached sheet.

Complainant's signature

Joseph Boland Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 7/20/15

Judge's signature

City and state: Tampa, Florida

MARK A. PIZZO, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT**

I, Joseph M. Boland being duly sworn, depose and state the following:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI"), assigned to the Tampa Division. I have been employed as a Special Agent with the FBI for over six years.

2. In connection with my official duties, and as defined by Title 18, United States Code, Section 2510 (7), I am "an investigative or law enforcement officer of the United States", in that I am empowered by law to enforce violations of federal laws, including but not limited to, Title 21, United States Code, Sections 841 and 846 (drug trafficking offenses), and Title 18, United States Code, Section 2 (aiding and abetting). I have received specialized training in the enforcement of laws regarding controlled substances, as found in Title 21 of the United States Code. Prior to this assignment I was assigned to the Memphis Division of the FBI for approximately two years. Additionally, I completed 21 weeks of training at the FBI Academy, which included training in advanced investigative techniques. I have testified in judicial proceedings and prosecutions for the violation of controlled substance laws. I have received specialized training in illegal drug smuggling and distribution investigations, and have participated in numerous illegal drug investigations. In addition, I have debriefed and participated in the debriefings of defendants, informants, and witnesses regarding their knowledge of drug trafficking. I have also participated in various other aspects of drug investigations with the FBI and other law enforcement agencies. As such, I am familiar with and have participated in all normal methods of investigation into drug trafficking.

3. This affidavit is submitted for the limited purpose of establishing probable cause for the arrest of **Jose Angel CERRILLO** and **Maria ZACHARIAS**, for conspiracy to possess with intent to distribute 1 kilogram or more of heroin in violation of Title 21, United States Code, Sections 846, and 841(a)(1) and (b)(1)(A)(i).

4. The statements contained herein are made on the basis of affiant's first-hand knowledge, as well as information obtained from other law enforcement officers. The purpose of this affidavit is to set forth facts that establish probable cause for charging the violations set forth herein and, as such, does not contain all facts known to your affiant or other law enforcement personnel about this investigation.

5. Law enforcement authorities are aware that drug traffickers routinely use bus travel for transportation of illegal narcotics to be distributed. As such, on July 17, 2015, the Tampa Police Department (TPD) conducted a narcotics interdiction stop at a bus terminal in Tampa, Florida. During this interdiction stop **CERRILLO** and **ZACHARIAS**, and others, were contacted and asked for identification, as well as checked in law enforcement data bases for warrants.

6. At that time, it was discovered that **CERRILLO**, who had a Mississippi identification card, had an outstanding warrant in Sarasota, Florida, for a DUI arrest from years earlier, for which he was arrested and transported to jail. **CERRILLO** was asked whether he was traveling with anyone else on the bus and he responded that he was traveling alone.

7. **ZACHARIAS**, who had a Louisiana identification card, did not have any warrants. While at the bus terminal, **ZACHARIAS** was asked if she knew **CERRILLO**

and she told the officer that she did not know him. She was then released from the bus terminal when TPD completed the interdiction check.

8. Upon running a full criminal history check of **CERRILLO** it was discovered that he had two arrests earlier in 2015 for trafficking in narcotics. That is, in January 2015, **CERRILLO** was arrested for trafficking in heroin after he got off of a bus in Houston, Texas, and was found in possession of approximately 798 grams of heroin, for which he arrest he is presently on bond. Further, in April 2015, **CERRILLO** was arrested for trafficking in cocaine and heroin after he got off of a bus in Brownsville, Texas, and was found in possession of small amounts of those drugs. The records reflected that **CERRILLO** also had a federal conviction in Texas in 2010 for possession of cocaine and trafficking in marijuana.

9. Given **CERRILLO'S** drug trafficking history and his use of buses to do so, the investigation of him continued and, as part of the investigation, his jail phone calls were monitored in an effort to determine who, if anyone, he had been traveling with and whether he or someone else on the bus had been in possession of narcotics.

10. On July 18, 2015, **CERRILLO** made a call to an unidentified female. This call was in Spanish and a summary translation was provided to your affiant by a qualified translator. During the call **CERRILLO** told the unidentified female to call the visitor and tell "her" to wait in the room and that **CERRILLO** would call her when he got out of jail. He further told the unidentified female that he would be out soon and provided a telephone number for the visitor. Research of that telephone number revealed that it was a number associated with **ZACHARIAS** who was identified at the bus terminal the day prior and had denied knowing **CERRILLO**.

11. On July 18, 2015, at approximately 9:36 p.m., **CERRILLO** was released from the Hillsborough County jail and physical surveillance was conducted of him at that time. **CERRILLO** left the jail and walked to a nearby gas station where he was observed using multiple cellular telephones, however, those conversations were not overheard. A short time later **CERRILLO** got into a taxi and traveled to a motel in Tampa, Florida. No other stops were made by the taxi or **CERRILLO** prior to going to the motel and **CERRILLO** exited the taxi at the motel. Thereafter, surveillance units observed **CERRILLO** enter and leave room #16 multiple times.

12. A detective was also sent to the motel's manager's office to determine if **ZACHARIAS** was checked into the motel, at which time it was confirmed that **ZACHARIAS** had checked into the motel on July 18, 2015, around 8:00 p.m. and that she had checked into room #16, however, no other names were noted on the room's registration record.

13. On July 19, 2015, surveillance observed **CERRILLO** and **ZACHARIAS**, who was carrying a bag as if it were a purse, leave room #16 together and walk to a Wal-Mart that was located across the street from the motel. **CERRILLO** and **ZACHARIAS** were then observed inside the store together with a shopping cart and also observed checking out together, whereupon they left the Wal-Mart and returned to room #16 at the motel.

14. Thereafter, **CERRILLO** and **ZACHARIAS** were observed again leaving the motel room and walking back to the Wal-Mart, where they met a taxi cab and got into the back seat.

15. A TPD officer in a marked patrol car got behind the taxi cab and then observed the driver of the taxi commit more than one traffic violation, at which time the officer activated his emergency lights and conducted a stop of the taxi. A TPD K-9 officer was also present and behind the marked TPD officer that stopped the taxi. The K-9 officer then walked his K-9 around the taxi and the K-9 alerted for the presence of illegal narcotics inside the taxi.

16. Upon conducting a search of the vehicle based on the K-9's alert, four packages of suspected narcotics were found inside the bag that **ZACHARIAS** had in her possession (See Exhibit A), which was also the same bag she had been observed with earlier as described above. A presumptive test of the substance inside the packages tested positive for the presence of heroin and the packages weighed approximately 2.5 kilograms total. Based on my training and experience, the heroin has a retail street value of approximately \$1 million dollars.

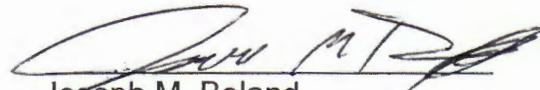
17. **CERRILLO** and **ZACHARIAS** were arrested and transported to the FBI's Tampa office. **ZACHARIAS** was read her Miranda rights in Spanish and indicated that she understood them and agreed to waive her rights and talk to the agents.

18. **ZACHARIAS** initially told interviewers that she knew the packages were in the bag but that she believed them to contain cheese and she denied any involvement in transporting heroin. She ultimately did admit that she knew the packages were in the bag and that they contained illegal drugs but said she did not know what specific drug was in the packages. **ZACHARIAS** said that, before traveling from Texas to Florida with **CERRILLO**, she had met with **CERRILLO** in a bus terminal in Texas where she was given the packages by an individual introduced to her by **CERRILLO**.

ZACHARIAS also said that at the time the TPD officer stopped the taxi, she and CERRILLO were going to a restaurant to deliver the packages to a person unknown to her and that she was to be paid \$1,000 by CERRILLO for transporting the packages. ZACHARIAS also admitted that this was the second trip like this that she had made with CERRILLO from Texas to Florida.

19. Based upon the information contained herein, your Affiant submits that there is probable cause to believe that **Jose Angel CERRILLO** and **Maria ZACHARIAS** did knowingly and willfully conspire with each other and others to possess with intent to distribute 1 kilogram or more of heroin in violation of Title 21, United States Code, Sections 846, and 841(a)(1) and (b)(1)(A)(i).

Further Affiant sayeth not.


Joseph M. Boland
Federal Bureau of Investigation

Sworn to and subscribed before me
this 20th day of July, 2015, in Tampa, Florida.


MARK A. PIZZO
United States Magistrate Judge

Exhibit A

