

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

DEREK DONLEY,
also known as "Lil' D";
KENDALL BANKS,
also known as "Bam";
NIGER GRAY,
also known as "Black";
JAMARI MC NEAL,
also known as "Fatch";
APRIL THOMAS,
also known as "Ma"; and
BYRON MURPHY

CASE NUMBER: 23 CR 413

UNDER SEAL**CRIMINAL COMPLAINT**

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

Count One

From in or around October 2021, and continuing to in or around September 2022, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere, defendant(s) DONLEY, BANKS, GRAY, MC NEAL, and THOMAS violated:

*Code Section*Title 21, United States Code, Sections
841(a) and 846*Offense Description*

did conspire with others known and unknown, to knowingly and intentionally to distribute, and to possess with intent to distribute, a controlled substance, namely, one kilogram or more of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance; 40 grams or more of a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide), a Schedule I Controlled Substance; a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, and a quantity of a mixture and substance containing a detectable amount of marijuana, a Schedule I Controlled Substance

Count Two

On or about October 15, 2021, at Chicago, in the Northern District of Illinois, Eastern Division, defendant(s) DONLEY and GRAY violated:

Code Section

Title 21, United States Code, Section 841(a); Title 18, United States Code, Section 2

Offense Description

did knowingly and intentionally distribute a controlled substance, namely, a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance

Count Three

On or about February 22, 2022, at Chicago, in the Northern District of Illinois, Eastern Division, defendant(s) DONLEY and MURPHY violated:

Code Section

Title 21, United States Code, Section 841(a); Title 18, United States Code, Section 2

Offense Description

did knowingly and intentionally distribute a controlled substance, namely, 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance, and 40 grams or more of a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N- [1- (2-phenylethyl) -4-piperidinyl] propanamide), a Schedule I Controlled Substance

Count Four

On or about April 5, 2022, at approximately 10:43 a.m. (call session # 1349), in the Northern District of Illinois, Eastern Division, and elsewhere, defendant THOMAS violated:

Code Section

Title 21, United States Code, Section 843(b)

Offense Description

did knowingly and intentionally use a communication facility, namely, a cellular telephone, in committing and in causing and facilitating the commission of a felony violation of Title 21, United States Code, Section 846, namely, conspiracy to distribute, and to possess with intent to distribute, a controlled substance, in violation of Title 21, United States Code, Sections 841 and 846, as charged in Count One of this Complaint

Count Five

On or about April 8, 2022, at Chicago, in the Northern District of Illinois, Eastern Division, defendant(s) DONLEY and MC NEAL violated:

Code Section

Title 21, United States Code, Section 841(a); Title 18, United States Code, Section 2

Offense Description

did knowingly and intentionally possess with intent to distribute a controlled substance, namely, 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I Controlled Substance, and 40 grams or more of a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide), a Schedule I Controlled Substance

Count Six

On or about May 25, 2022, at Chicago, in the Northern District of Illinois, Eastern Division, defendant(s) DONLEY and BANKS violated:

Code Section

Title 21, United States Code, Section 841(a); Title 18, United States Code, Section 2

Offense Description

did knowingly and intentionally possess with intent to distribute a controlled substance, namely, a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance,

This criminal complaint is based upon these facts:

X Continued on the attached sheet.


MICHAEL A. LONG

Special Agent, Federal Bureau of Investigation
(FBI)

Pursuant to Fed. R. Crim. P. 4.1, this Complaint is presented by reliable electronic means. The above-named agent provided a sworn statement attesting to the truth of the Complaint and Affidavit by telephonic means.

Date: July 25, 2023


Judge's signature

City and state: Chicago, Illinois

YOUNG B. KIM, Chief U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

AFFIDAVIT
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

AFFIDAVIT

I, MICHAEL A. LONG, being duly sworn, state as follows:

I. INTRODUCTION AND AFFIANT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”) and have been so employed since approximately March 2020. I am currently assigned to the FBI Chicago Field Division. Before my current position as an FBI Special Agent, I was employed as a police officer with the city of Dallas, Texas, for approximately four-and-a-half years.

2. My responsibilities as an FBI Special Agent include the investigation of violent crimes, criminal enterprises, violations relating to the illegal sale and transfer of drugs and firearms, and violent criminal acts in furtherance of criminal enterprises. In addition, my official FBI duties include the investigation of drug-trafficking organizations and violations of federal drugs and money laundering laws, including offenses defined by 21 U.S.C. §§ 841, 843, and 846, and 18 U.S.C. § 1956. I have received specialized training in the means and methods by which individuals and drug-trafficking organizations conduct their illegal drug-trafficking activities, as well as in the use of various investigative techniques used to uncover unlawful drug trafficking. Based upon my experience and training, I am familiar with the ways in which drug traffickers conduct their unlawful drug-trafficking activity, including, but not limited to, their use of verbal and written code to conduct their transactions, their

methods for concealing drugs and drug proceeds, and their use of violence and threats of violence to protect their organization. Further, I have participated in multiple investigations involving Title III court-authorized wiretaps.

3. Through these investigations, my training and experience, and conversations with other law enforcement officers (“LEOs”), I have become familiar with the methods used by drug traffickers to distribute, transport, store, and import controlled substances. I also have become familiar with the methods used by drug traffickers to safeguard and distribute drugs and to collect and launder drug proceeds. For example, I am familiar with their use of prepaid cellular and cellular phones, landline phones, public phones, debit calling cards, counter-surveillance, the use of false and/or fictitious identities, and the use of coded language during conversations when referring to drugs in an attempt to disguise the true meaning of the conversation. I also know that consensually monitored telephone calls, as well as court-authorized intercepts, often provide valuable evidence of conspiracy pertaining to the drugs trafficking activities.

4. I am personally involved in the investigation of the offenses discussed below and am familiar with the investigative methods described herein. The statements contained in this Affidavit are based on my knowledge and, in part, information provided by LEOs, including: (a) oral and written reports that I have received directly or indirectly from other LEOs; (b) results of physical surveillance conducted by myself and/or other LEOs, which have been reported to me either directly or indirectly; (c) information provided by confidential sources working for the

FBI; (d) a review of telephone-toll records, pen-register records, and subscriber information; (e) information derived from consensually recorded telephone conversations and meetings; (f) communications intercepted pursuant to court-authorized Title III wiretap orders; (g) review of driver's license, state identification, and automobile-registration records; (h) records obtained from law-enforcement databases; (i) review of information obtained through open sources; (j) my training and experience as an FBI Special Agent and former police officer; and (k) the training and experience of other LEOs involved in this investigation.

5. This affidavit is submitted in support of a criminal complaint alleging that the following individuals have committed the following criminal offenses (the **"Subject Offenses"**):

a. Derek Donley, also known as "Lil' D" ("DONLEY"); Kendall Banks, also known as "Bam" ("BANKS"); Niger Gray, also known as "Black" ("GRAY"); Jamari Mc Neal, also known as "Fatch" ("MC NEAL"); and April Thomas, also known as "Ma" ("THOMAS") conspired to distribute, and to possess with intent to distribute, controlled substances, in violation of Title 21, United States Code, Sections 841(a) and 846, as alleged in Count One of this complaint;

b. DONLEY and GRAY distributed a quantity of cocaine, in violation of Title 21, United States Code, Section 841(a) and Title 18, United States Code, Section 2, as alleged in Count Two;

c. DONLEY and Byron Murphy ("MURPHY") distributed 100 grams or more of heroin and 40 grams or more of fentanyl, in violation of Title 21,

United States Code, Section 841(a) and Title 18, United States Code, Section 2, as alleged in Count Three;

d. THOMAS used a communication facility, namely, a cellular telephone, in committing and facilitating the drug-trafficking conspiracy alleged in this complaint, as alleged in Count Four;

e. DONLEY and MCNEAL possessed with intent to distribute 100 grams or more of heroin and 40 grams or more of fentanyl, in violation of Title 21, United States Code, Section 841(a) and Title 18, United States Code, Section 2, as alleged in Count Five; and

f. DONLEY and BANKS possessed with intent to distribute a quantity of cocaine, in violation of Title 21, United States Code, Section 841(a)(1), as alleged in Count Six.

6. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging DONLEY, BANKS, GRAY, MC NEAL, THOMAS, and MURPHY with the **Subject Offenses**, as specified above, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that each defendant committed the offenses alleged against him or her in the complaint.

II. SUMMARY OF PROBABLE CAUSE

7. The FBI is conducting a criminal investigation of DONLEY and others known and unknown regarding the **Subject Offenses**. During the government's

investigation, a confidential informant (“CI-1”)¹ identified Niger GRAY as a person whom CI-1 knew to sell illegal drugs, including crack cocaine. During a controlled purchase of crack cocaine arranged with GRAY on or about October 15, 2021, CI-1 was introduced to DONLEY (who made the drug delivery on GRAY’s behalf), the offense charged in Count Two of this complaint. CI-1 then engaged in several controlled purchases of crack cocaine or heroin from DONLEY, on or about November 4, November 16, November 24, December 2 (at which DONLEY was assisted by BANKS), December 14, 2021, January 12, 2022 (at which DONLEY was assisted by BANKS), and February 15, 2022. Further, during the controlled purchase of crack

¹ CI-1 has worked with the FBI since in or around December 2019, but no longer conducts controlled transactions as of on or about February 16, 2022, for the reasons detailed further below. The FBI expects, however, that it may still use CI-1 as a source of information, but does not anticipate using CI-1 any further in this investigation involving DONLEY. Before his/her last controlled purchase on or about January 12, 2022, information provided by CI-1 had generally proven to be reliable and credible. CI-1 agreed to assist the FBI in this case in exchange for money. To date, CI-1 received cash payments from the FBI totaling approximately \$11,100. According to law-enforcement databases, CI-1 has approximately eight felony convictions, with seven for robbery. Since cooperating with the FBI, CI-1 has been working exclusively as a paid informant and is not currently cooperating in exchange for potential sentencing credit or other consideration in a pending criminal case. As detailed further below, however, during a debriefing interview with agents in early-February 2022, CI-1 admitted to engaging in unauthorized criminal activity, including but not limited to drug-trafficking activity that was not sanctioned by the FBI and being cited for smoking a cigarette on the train. Upon learning this information, FBI agents terminated their use of CI-1 for further controlled purchases of drugs. CI-1 also informed agents that s/he has never conducted any unauthorized illegal purchases of drugs from either DONLEY or GRAY, though CI-1 acknowledged that DONLEY offered to “front” CI-1 drugs (*i.e.*, provide drugs on consignment) in certain unrecorded communications. According to CI-1, s/he never accepted DONLEY’s offer to obtain drugs on consignment, or otherwise engaged in drug deals with DONLEY that were not authorized by the FBI.

Wherever possible, the information in this Affidavit that relies upon CI-1’s past cooperation has been corroborated by independent sources, including consensually recorded calls or text messages, audio-video recordings of controlled drug purchases, agents’ surveillance, and the successful purchase of drugs, as detailed herein.

cocaine with DONLEY on or about February 15, 2022, CI-1 introduced CI-2² to DONLEY, at FBI agents' direction.

8. Then, on or about February 22, 2022, CI-2 engaged in a controlled purchase of fentanyl-laced heroin from DONLEY (at which DONLEY was assisted by MURPHY), the offense charged in Count Three of this complaint. Before and after these transactions, with the exception of January 12, 2022,³ DONLEY used the phone number 312-XXX-5091 ("**Target Phone 1**") to communicate with CI-1 and CI-2 about illegal drug transactions, including places to meet for the unlawful sale of drugs, prices for crack cocaine or heroin, and other drug-related matters.⁴

9. Communications intercepted over **Target Phone 1** pursuant to court-authorized Title III wiretap orders establish that DONLEY has been running a drug-trafficking operation with other co-conspirators, including BANKS, the user of phone numbers 773-XXX-5378 ("**Target Phone 2**") and 312-XXX-5201 ("**Target Phone 3**"). Information identifying BANKS as the user of **Target Phone 2** and **Target Phone 3** is detailed below. Further, select communications between DONLEY, BANKS, and

² CI-2 has been cooperating with law enforcement since in or around December 2019. CI-2 has approximately 11 prior arrests and no convictions. CI-2 is cooperating with law enforcement for consideration on pending drug charges in New Orleans, relating to the distribution of heroin. Information provided by CI-2 has been corroborated based on recorded communications, surveillance, and multiple drug seizures. Accordingly, law enforcement believes CI-2 to be a reliable source of information.

³ On or about January 12, 2022, DONLEY called CI-1 from a private phone number, as further detailed below. During this purchase, DONLEY told CI-1 that he needed to put additional minutes onto his phone, meaning, **Target Phone 1**.

⁴ Wherever possible, all calls and text messages by CI-1 and CI-2 were consensually recorded and verified by: (1) toll records; (2) agents' review of CI-1's and CI-2's telephone call logs; and/or (3) agents' observations of CI-1 or CI-2 dialing a particular number, or receiving a phone call from a particular number.

other parties intercepted pursuant to court-authorized Title III wiretap orders are summarized below, which establish that: (1) DONLEY, BANKS, GRAY, MC NEAL, and THOMAS are engaged in ongoing drug-trafficking activities with other named and unnamed co-conspirators, as is relevant to Count One; (2) DONLEY, along with GRAY (Count Two), MURPHY (Count Three), MC NEAL (Count Five), and BANKS (Count Six), is responsible for acquiring or supplying illegal drugs; and (3) THOMAS used a communication facility, namely, a cellular telephone, in committing and facilitating the drug-trafficking conspiracy alleged in this complaint (Count Four).⁵

III. STATEMENT OF PROBABLE CAUSE

A. CONTROLLED PURCHASES OF CRACK COCAINE AND FENTANYL-LACED HEROIN FROM DONLEY AND OTHER CO-CONSPIRATORS BETWEEN OCTOBER 2021 AND FEBRUARY 2022

1. October 15, 2021 Controlled Purchase of Crack Cocaine from GRAY and DONLEY

10. On or about October 15, 2021, at approximately 10:00 a.m., CI-1 met with FBI agents at a predetermined location, where agents searched CI-1 (who was on foot) for contraband, firearms, or bundles of cash, finding no such items. Then, at approximately 10:41 a.m., agents equipped CI-1 with concealed audio-video recording

⁵ Some of the consensually recorded conversations and court-authorized interceptions from this investigation are summarized in this Affidavit. The language that is quoted from the recorded conversations throughout this Affidavit is based upon a preliminary review of the recorded conversations, not final transcripts. These summaries do not include all statements or topics covered during the course of the recorded conversations. At various points in the Affidavit, I have indicated (sometimes in brackets) my interpretation of words and phrases used in the recorded conversations. My interpretations are based on information received from CI-1, CI-2, and other sources, the contents and context of the recorded conversations, events that took place before and after the conversations, my knowledge of the investigation as a whole, my experience and training, and the experience and training of other law enforcement agents in this investigation.

devices and a transmitter, and gave CI-1 approximately \$100 in cash, to purchase drugs from GRAY. While in agents' presence and at agents' direction, CI-1 placed a recorded call to GRAY on 773-XXX-4918—a phone number that GRAY had previously provided to CI-1—to arrange for the purchase of approximately \$100 of crack cocaine. GRAY told CI-1 that he would arrive to meet with CI-1 in approximately twenty-five minutes.⁶

11. According to agents' review of GRAY's toll records, at approximately 10:51 a.m., CI-1 received a call from GRAY, who was using phone number 773-XXX-4918, which was captured by CI-1's recording equipment. CI-1 answered the call, on speakerphone, and told GRAY the address where s/he was standing, which was at or near the intersection of 71st Street and Euclid Avenue in Chicago, Illinois. As captured by CI-1's recording equipment, GRAY responded that CI-1 should stay put, and that GRAY was "finna have my brother come right there and bring it to you." GRAY added that his brother would be "in a white Jeep truck." Further, GRAY told

⁶ Law enforcement identified GRAY as the user of 773-XXX-4918 in this Affidavit based on the following: First, according to CI-1, GRAY previously provided 773-XXX-4918 to CI-1 and stated that was the phone number that CI-1 should use to contact GRAY. Second, as set forth in this Affidavit, CI-1 communicated with the user of 773-XXX-4918 to arrange a meeting, where GRAY's "brother" (later identified as DONLEY) appeared in person to meet with CI-1. During that meeting, which took place on or about October 15, 2021, DONLEY asked CI-1 if s/he was there for "Black," referring to GRAY's nickname. Third, based on CI-1's prior in-person interactions with GRAY, CI-1 identified the voice of the person using 773-XXX-4918 on the calls referenced in this Affidavit as belonging to GRAY. Fourth, an open-source database search indicated that GRAY was possibly associated with the aforementioned phone number. Finally, based upon my review of consensually recorded calls between CI-1 and GRAY and interceptions between 773-XXX-4918 and **Target Phone 1**, pursuant to the Title III wiretap orders detailed below, I believe the two voices are of the same person (*i.e.*, GRAY).

CI-1, “don’t exchange no numbers. Don’t get his number. None of that sh*t. . . . Give him the money, he gon’ bring it to me.” Shortly thereafter, the call ended.

a. Based on my training, experience, and knowledge of this investigation, I believe that when GRAY said that he was “finna have my brother come right there and bring it to you,” he was using coded language to inform CI-1 that his “brother” (the person later identified as DONLEY, as stated below)⁷ would be delivering the drugs (“it”) CI-1 had arranged to purchase from GRAY. Further, I believe that when GRAY referred to “a white Jeep truck,” he was describing a vehicle that DONLEY regularly used, which—as noted below—DONLEY was seen driving in numerous subsequent controlled drug purchases with CI-1. I additionally believe that when GRAY said, “don’t exchange no numbers. Don’t get his number. None of that sh*t. . . . Give him the money, he gon’ bring it to me,” he was instructing CI-1 not to exchange phone numbers with GRAY’s “brother,” but simply to give him the money for the drugs, which GRAY’s “brother” would, in turn, deliver to GRAY.

12. Based on my training and experience, knowledge of this investigation, my conversations with other agents who provided surveillance during this controlled purchase, and my review of the footage captured by CI-1’s audio-video recording device, I know the following about CI-1’s controlled drug purchase on or about October 15, 2021:

⁷ During a later controlled purchase on or about December 2, 2021, discussed further below, DONLEY clarified to CI-1 that he and GRAY were not actually related to each other.

a. Around 15 minutes after CI-1's last call with GRAY, a male that law enforcement later identified as DONLEY,⁸ arrived at the address where CI-1 was standing, driving in a black Chrysler 300 sedan bearing Indiana license plate 870RSS. As captured by his/her recording equipment, CI-1 approached the front-passenger window of the car, which was open, and spoke with DONLEY (whose face was partially covered by a medical mask), as depicted in the screenshot of CI-1's recording below:

[*CONTINUED ON NEXT PAGE*]

⁸ The identification of DONLEY in this Affidavit is based on the following: On or about October 21, 2021, CI-1 positively identified a booking photograph of DONLEY, provided by law enforcement, as the individual that CI-1 knows as "Lil D," which is a nickname used by DONLEY. In addition, law enforcement identified DONLEY by comparing a known booking photograph of DONLEY to the individual seen in the video recordings and/or surveillance of controlled drug purchases involving CI-1 and CI-2, as detailed further below.



*Derek DONLEY in driver's seat of black Chrysler 300 sedan
on or about October 15, 2021*

b. DONLEY, as captured by CI-1's recording equipment, asked if CI-1 was there for "Black," a known alias of GRAY's. CI-1 responded affirmatively, DONLEY replied, "come on in," and CI-1 then entered DONLEY's car, as captured by his/her recording equipment and observed by surveilling officers. As s/he entered the vehicle, CI-1 stated, "he said a white truck," and DONLEY responded, "[UI] in my Jeep." Upon entering DONLEY's car, CI-1—as captured by his/her recording equipment—could be heard counting out a sum of cash as DONLEY asked, "what's that you got?" CI-1 responded, "[\$]100," and DONLEY replied, "okay." DONLEY then explained that he sells "pieces" and does not "really sell like, bags" and that he did not "really have sh*t bagged up like that."

i. Based on my training, experience, and knowledge of this investigation, I believe that when CI-1 stated, “he said a white truck,” s/he was referring to GRAY’s prior statement (noted above) that his “brother” would be arriving to meet with CI-1 in a white Jeep. Further, I believe that when DONLEY responded, “[UI] in my Jeep,” he was informing CI-1 of another car (namely, a white Jeep) that DONLEY used, which—as noted below—DONLEY was seen driving in numerous subsequent controlled purchases with CI-1. I also believe that when DONLEY said that he sells “pieces,” not “bags” and that he did not “really have sh*t bagged up like that,” he was informing CI-1 that he normally sold larger quantities of crack cocaine and not small amounts. I also believe that by “pieces,” DONLEY referred to whole blocks of cocaine, sometimes known by the coded term “cookies,” and that by “bags,” DONLEY referred to small quantities of illegal drugs, which drug users were ordinarily supplied for around one or two individual doses.

c. As captured by his/her recording device, CI-1 told DONLEY that CI-1 was trying to “start my own thing” and “giving out ‘pass outs.’” DONLEY asked if CI-1 was “coppin’ 8-balls,” to which CI-1 responded “yeah, sometimes.” DONLEY asked CI-1 why s/he does not “just pay 200 and get you an 8-ball?” CI-1 stated that s/he could probably do that. DONLEY explained to CI-1 that he did not want to “back door” his “little brother” and “take your number down,” but that “he’ll call you from me, though.” DONLEY identified himself as “Lil’ D”; he then explained that “this sh*t straight drop,” and told CI-1 that s/he is going to be looking for DONLEY.

i. Based on my training, experience, and knowledge of this investigation, I believe that when DONLEY asked CI-1 if s/he was “coppin’ 8-balls,” and discussed “pay[ing] 200” to “get you an 8-ball,” he inquired whether CI-1 wanted to purchase an eighth-ounce quantity of crack cocaine for \$200. I also believe that DONLEY used the word “coppin” as slang for “purchasing,” “8-balls” as slang for an eighth-ounce (approximately 3.5 grams) quantity of crack cocaine, and “200” as shorthand for \$200. Additionally, I believe that when DONLEY mentioned his “little brother,” who would “call you from me,” he was referring to GRAY and suggesting that GRAY would be making future drug deliveries to CI-1 on DONLEY’s behalf. I further believe that when DONLEY told CI-1, “this sh*t straight drop,” he was indicating that no chemicals or other substances were added to dilute the strength or relative purity of the crack cocaine that DONLEY was offering to sell CI-1.

d. According to agents’ review of GRAY’s toll records, while CI-1 was still in DONLEY’s car, s/he received a call from GRAY, who was using phone number 773-XXX-4918, at approximately 11:10 a.m., which was captured by CI-1’s recording equipment. GRAY asked if CI-1 was “good.” CI-1 responded, “I’m here now.” GRAY reiterated his prior directive that CI-1 should not exchange phone numbers with DONLEY, and they ended the phone call. Then, as captured by CI-1’s recording equipment, DONLEY told CI-1, “I threw a bag in there too.” CI-1 said, “I’ll get it through him . . . I don’t want to back door him,” and DONLEY responded, “you take my number down . . . this is business, you know what I’m saying? His a*s ain’t even around. Call me. He ain’t gotta know what’s going on, I’ll come serve you. I served

him. That's my little brother. I [UI] him the work to serve you." DONLEY then provided CI-1 **Target Phone 1** as his own phone number, encouraging CI-1 to call DONLEY for future drug deliveries if GRAY failed to follow through. DONLEY also told CI-1 that he would sell CI-1 "balls for 200 even" and that "you get you a whole 3.5 for 200 and you can make every bit of 400 off that mo'fu*ka. You know what I'm sayin'?" CI-1 affirmed s/he understood DONLEY. Then, as captured by CI-1's recording equipment, DONLEY said, "okay, that's a go," and CI-1 responded, "Yup. I'll be in touch, bro," shortly before exiting DONLEY's car. During their meeting, according to CI-1, DONLEY had a solid rock form of crack cocaine in a zip-lock bag. DONLEY broke pieces off the rock and gave it to CI-1, and CI-1 handed DONLEY approximately \$100.⁹

i. Based on my training, experience, and knowledge of this investigation, I believe that when CI-1 said, "I'll get it through him . . . I don't want to back door him," s/he was referring to making future drug purchases from GRAY. Further, I believe that when DONLEY said, "you take my number down . . . this is business, you know what I'm saying? His a*s ain't even around. Call me. He ain't gotta know what's going on, I'll come serve you," he was commenting on GRAY's absence, and telling CI-1 that if s/he could not obtain drugs from GRAY in the future, CI-1 should contact DONLEY directly for drugs ("I'll come serve you"). I also believe that when DONLEY said, "I served him. That's my little brother. I [UI] him the work

⁹ Unless stated otherwise, according to CI-1, all cash exchanges during controlled purchases took place when DONLEY handed CI-1 the drugs.

to serve you,” he used coded language to inform CI-1 that DONLEY supplied GRAY (“my little brother”) with any drugs (“work”) that GRAY would arrange to sell to CI-1. I further believe that when DONLEY told CI-1 that he would sell CI-1 “balls for 200 even” and that “you get you a whole 3.5 for 200 and you can make every bit of 400 off that mo’fu*ka,” DONLEY used coded language to tell CI-1 that he would sell CI-1 approximately 3.5 grams of crack cocaine for \$200, which CI-1 could then resell for \$400, netting an approximately \$200 profit. Lastly, I believe the portion of CI-1’s recording, where DONLEY can be heard saying, “okay, that’s a go” captures the moment that DONLEY handed the crack cocaine to CI-1.

e. After conducting the purchase, as captured by his/her recording equipment, CI-1 and DONLEY parted ways. According to agents’ review of GRAY’s toll records, as CI-1 returned—on foot—to meet with FBI agents following the controlled purchase, s/he received a call from GRAY, who was using phone number 773-XXX-4918, at approximately 11:15 a.m., which was captured by CI-1’s recording equipment. CI-1 answered the call, on speakerphone, and GRAY asked, “did you see him?” CI-1 responded, “yeah, I got it. He gone now. I’m going back my way.”

i. Based on my training, experience, and knowledge of this investigation, I believe that when GRAY asked, “did you see him?,” he was inquiring whether CI-1 had successfully met with and obtained drugs from DONLEY. Further, I believe that when CI-1 responded, “yeah, I got it. He gone now. I’m going back my way,” s/he was informing GRAY that s/he, in fact, obtained the drugs from DONLEY, and that they had each gone their separate ways.

f. After receiving the drugs from DONLEY, CI-1 met with FBI agents at a predetermined location, where agents again searched CI-1 for contraband, firearms, or bundles of cash, finding no such items, except for the white rocklike substance resembling crack cocaine and weighing approximately 0.7 grams, which CI-1 purchased from DONLEY. Unless otherwise noted, CI-1's movements from his/her departure from the predetermined location preceding the controlled purchase, until his/her return to the predetermined location, where agents took custody of the drugs that CI-1 obtained from DONLEY, were documented by surveilling officers and/or CI-1's audio-video recording equipment. Later, agents submitted the suspected crack cocaine to the Drug Enforcement Administration's Northwest Laboratory (the "DEA Lab") for analysis. According to the lab results, the white rocklike substance was positive for the presence of cocaine base (*i.e.*, crack cocaine).

2. November 4, 2021 Controlled Purchase of Crack Cocaine from DONLEY

13. On or about November 3, 2021, at agents' direction, CI-1 communicated with DONLEY, who was using **Target Phone 1**,¹⁰ by electronic message, to schedule a crack cocaine sale. In pertinent part, CI-1 sent a text message to **Target Phone 1**

¹⁰ Law enforcement identified DONLEY as the user of **Target Phone 1** in this Affidavit based on the following: First, as set forth above, during a controlled purchase on or about October 15, 2021, DONLEY identified **Target Phone 1** as his phone number, and stated that was the phone number that CI-1 should use to contact DONLEY for future drug purchases. Second, as set forth in this Affidavit, CI-1 communicated with the user of **Target Phone 1** to arrange meetings, where DONLEY appeared in person. On or about November 4, 2021, CI-1 positively identified an arrest photograph of DONLEY, provided by law enforcement, as the person s/he knows as "Lil D." Finally, I am able to identify DONLEY as the person speaking on the calls between CS-1 and **Target Phone 1** based on a comparison between the recordings of the voice on those calls and DONLEY's voice on the audiovisual recordings made during CI-1's in-person meetings with DONLEY, as set forth in this Affidavit.

that s/he was “Gonna be out East tomorrow, so I’ll holla at you then. You do know both times it was kinda short, hope you get me together tomorrow. Not to even meanton [sic] that I overpaid you, but that was in me so I can’t trip.” CI-1 received a response from **Target Phone 1** in three separate messages, which stated, “I got u Im go make sure everything right,” “Extra work,” “In I got yo 20\$ in cash”.

a. Based on my training, experience and knowledge of this investigation, I believe that when CI-1 texted **Target Phone 1** that s/he was “Gonna be out East tomorrow,” and talking about how s/he “overpaid you,” and how “both times it was kinda short,” s/he was using coded language to communicate to DONLEY that CI-1 would be in DONLEY’s area for a potential drug deal the next day, and that CI-1 believed s/he did not receive the full quantity of crack cocaine that s/he paid for during previous purchases.¹¹ Further, I believe that the responses CI-1 received from **Target Phone 1** stating “I got u Im go make sure everything right,” “Extra work,” “In I got yo 20\$ in cash,” were meant to communicate to CI-1 that the user of **Target Phone 1** (believed to be DONLEY, for the reasons below) would cure the prior overpayment by CI-1, either by providing CI-1 extra crack cocaine, or a refund of approximately \$20.

¹¹ On or about October 21, 2021, CI-1 engaged in another controlled drug purchase with DONLEY, which is not relied upon to establish probable cause in this Affidavit due to a malfunction with the FBI recording equipment issued to CI-1 on that occasion. According to CI-1, during this October 21 purchase, CI-1 overpaid DONLEY approximately \$20 for a quantity of suspected crack cocaine. This disclosure is made to contextualize CI-1’s statement on or about November 4, 2021, regarding DONLEY’s delivery of drugs being “short . . . both times,” but aside from that clarification, is not offered as probable cause of DONLEY’s drug trafficking activity, or his having committed any **Subject Offenses** with which he is charged in this complaint.

14. Then, on or about November 4, 2021, at approximately 10:00 a.m., CI-1 met with FBI agents at a predetermined location, where agents searched CI-1 (who was on foot) for contraband, firearms, or bundles of cash, finding no such items. Agents equipped CI-1 with concealed audio-video recording devices and a transmitter, and gave CI-1 approximately \$400 in cash to purchase drugs from DONLEY. While in agents' presence and at agents' direction, CI-1 placed a recorded call to DONLEY—who was using phone number 312-XXX-5091 (*i.e.*, **Target Phone 1**, a number that DONLEY had previously provided CI-1)—to arrange for the purchase of approximately \$400 of crack cocaine. The call went to voicemail. DONLEY, using **Target Phone 1**, returned CI-1's call, which was not recorded.¹² According to CI-1, during this call, DONLEY said that he would meet CI-1 in approximately ten minutes. DONLEY did not arrive at the scheduled time, prompting CI-1 to call and text message DONLEY, who was using **Target Phone 1**, at FBI agents' direction.¹³

15. At approximately 11:13 a.m., CI-1 received a return call from DONLEY, who was still using **Target Phone 1**. During this conversation, as captured by CI-1's recording equipment, DONLEY told CI-1 he would be in a white Jeep.¹⁴ CI-1, in turn,

¹² The system used for recording CI-1's calls captures outgoing calls only, not incoming calls. Accordingly, DONLEY's incoming call to CI-1's phone was not recorded, but has been confirmed by agents' toll analysis of CI-1's phone.

¹³ These specific exchanges with DONLEY were also unrecorded but have been confirmed by agents' toll analysis of CI-1's phone.

¹⁴ Through surveillance and prior encounters with DONLEY, agents have observed DONLEY regularly driving a white Jeep Cherokee bearing Illinois license plate CR 34551.

told DONLEY that s/he would be at Restaurant A (located at or near the intersection of 71st Street and Euclid Avenue in Chicago, Illinois). Minutes later, as captured by CI-1's recording equipment, CI-1 received another call from DONLEY, who was still using **Target Phone 1**, instructing CI-1 to walk across the street to meet DONLEY (at or near the intersection of 71st Street and Euclid Avenue in Chicago, Illinois).

16. Based on my training and experience, knowledge of this investigation, my conversations with other agents who provided surveillance during this controlled purchase, and my review of the footage captured by CI-1's audio-video recording device, I know the following about CI-1's controlled purchase on or about November 4, 2021:

a. CI-1, as captured by his/her recording equipment and observed by surveilling officers, entered DONLEY's white Jeep, and DONLEY and CI-1 began discussing their impending crack cocaine deal using coded language. DONLEY told CI-1, "ever since you been f*ckin with me . . . I keep straight drop." DONLEY then explained that sometimes he takes some time to check the scales, and that he does not "like this ridin around with a lot of work on me." DONLEY told CI-1 that "on my daughter, I charge n*ggas 225 a ball for the whole 3.5"... "yeah you gotta think about it. It's straight drop. I don't sell like...you know...n*ggas still got like 150, 175, 8 balls of soda. You know what I'm sayin? And then I wanna make sure you get the whole thing...."

i. Based on my training, experience, and knowledge of this investigation, I believe that when DONLEY told CI-1 "ever since you been f*ckin with

me . . . I keep straight drop,” he used coded language to say that ever since he started having CI-1 as his customer, DONLEY had been storing, or otherwise had access to, crack cocaine without other chemicals additives or dilutants. Further, I believe that when DONLEY told CI-1 that he does not “like this ridin around with a lot of work on me,” he was telling CI-1 that DONLEY does not like to drive around with a large quantity of crack cocaine on him. I also believe that when DONLEY told CI-1 “on my daughter, I charge n*ggas 225 a ball for the whole 3.5,” and in the ensuing conversation, DONLEY was explaining that he charges \$225 for an eighth-ounce quantity (approximately 3.5 grams) of crack cocaine because his product is high quality, not diluted with other substances, and that other drugs dealers sell their respective “8 balls of soda” for \$150 or \$175 because their drugs are diluted with baking soda.

b. DONLEY and CI-1 continued their drug-dealing conversation and, eventually, CI-1 received a bag of suspected crack cocaine from DONLEY. In pertinent part, DONLEY told CI-1 “that’s two in one” and CI-1 provided DONLEY with \$400 in cash while stating, “this four,” as captured on CI-1’s audio-recording equipment.¹⁵ DONLEY continued talking about drugs. As their conversation continued, according to CI-1, CI-1 observed another bag of suspected crack cocaine in

¹⁵ While not captured on the video portion of CI-1’s recording, agents determined the cash payment took place at this point due to: (1) the above-mentioned verbal exchange where CI-1 told DONLEY “this four,” which agents believe was slang for \$400, matching the amount of cash (\$400) that CI-1 was given by agents prior to this controlled purchase; and (2) agents having searched CI-1 after the controlled purchase, and not finding any bundles of cash on his/her person.

the door. Then, CI-1 asked DONLEY, “so that one there, that’s the same as this?” DONLEY, as captured by CI-1’s recording equipment, then held the bag up and responded, “yeah, the bag, yeah... same work.”¹⁶ DONLEY and CI-1 continued talking about drug dealing and ultimately, CI-1 exited DONLEY’s white Jeep and they parted ways.

i. Based on my training, experience, and knowledge of this investigation, I believe that when DONLEY told CI-1 “that’s two in one,” DONLEY told CI-1 that he gave CI-1 two eighth-ounce portions of crack cocaine in one bag. I further believe that when DONLEY held up the second bag and responded “yeah, the bag, yeah...same work,” he told CI-1 in coded language that the substance in that bag was the same quality of crack cocaine which he just sold to CI-1. Further, I know from my training and experience that “work,” as used by DONLEY, is a coded term commonly used by drug dealers for the drugs they carry.

c. After purchasing the drugs from DONLEY, CI-1 met with FBI agents at a predetermined location, where agents again searched CI-1 for contraband, firearms, or bundles of cash, finding no such items, except for a plastic bag containing white rocklike substance resembling crack cocaine and weighing approximately 7.3 grams, which CI-1 had earlier received from DONLEY. Unless otherwise noted, CI-1’s movements from his/her departure from the predetermined location preceding the

¹⁶ Though DONLEY’s face is not visible during this recording, I have ascertained his identity through this consensual recording of his voice, which I have compared to his voice as heard on other consensually monitored audio recorded as described further herein, relative location within the white Jeep, and I believe, they are, in fact, the same person.

controlled purchase, until his/her return to the predetermined location, where agents took custody of the drugs that CI-1 obtained from DONLEY, were documented by surveilling officers and/or by CI-1's audio-video recording equipment. Later, agents submitted the suspected crack cocaine to the DEA Lab for analysis. According to the lab results, the white rocklike substance was positive for the presence of cocaine base (*i.e.*, crack cocaine).

3. November 16, 2021 Controlled Purchase of Crack Cocaine from DONLEY

17. On or about November 16, 2021, at approximately 10:10 a.m., CI-1 met with FBI agents at a predetermined location, where agents searched CI-1 (who was on foot) for contraband, firearms, or bundles of cash, finding no such items. Agents equipped CI-1 with concealed audio-video recording devices and a transmitter, and gave CI-1 approximately \$780 in cash, to purchase drugs from DONLEY. While in agents' presence and at agents' direction, CI-1 placed a recorded call to DONLEY—who was using **Target Phone 1**—to arrange for the purchase of crack cocaine.

18. Based on my training and experience, knowledge of this investigation, my own surveillance, my conversations with CI-1 and other agents who provided surveillance during this controlled purchase, and my review of the footage captured by CI-1's audio-video recording device, I know the following about CI-1's controlled purchase on or about November 16, 2021:

a. At approximately 12:22 p.m., at or near the intersection of 71st Street and Euclid Avenue in Chicago, Illinois, CI-1 received a call from DONLEY, who was using **Target Phone 1**. During this call, which was captured using CI-1's

recording equipment, DONLEY told CI-1 to “come on, because I’m dirty.” Then, as captured by his/her recording equipment and observed by surveilling officers, CI-1 walked across the street and entered DONLEY’s white Jeep. DONLEY was engaged in a phone conversation. After his phone call concluded, DONLEY asked how much money CI-1 had. CI-1 responded that s/he had approximately \$780. DONLEY told CI-1 that DONLEY would take the \$780 and added, “I don’t play about my money.” Then, according to CI-1, and as partially captured on his/her audio recording, DONLEY showed CI-1 a clear plastic bag containing a large bundle of suspected crack cocaine and told CI-1 that “this straight drop. That’s a 63 right there. Ya feel me?” DONLEY and CI-1 continued talking about drugs, then DONLEY told CI-1, “Like I say, you have 780...Ima sell you a 14. Then what you tryna get on the front?”

i. Based on my training, experience, and knowledge of this investigation, I believe that when DONLEY called CI-1 using **Target Phone 1** and said that he was “dirty,” DONLEY used coded language to inform CI-1 that he was carrying drugs. I also believe that when DONLEY showed CI-1 the clear plastic bag containing the large bundle of suspected crack cocaine and told CI-1 that “this straight drop. That’s a 63 right there,” he used coded language to inform CI-1 that the crack cocaine was unadulterated and weighed approximately 63 grams. Further, I believe when DONLEY told CI-1 “you have 780...Ima sell you a 14,” he used coded language to convey to CI-1 that he was going to sell CI-1 approximately 14 grams of crack cocaine (approximately one half-ounce) in exchange for \$780.

b. DONLEY and CI-1 continued their drug-dealing conversation while driving around in DONLEY's white Jeep. As captured by CI-1's recording equipment, DONLEY then asked CI-1, "so you f*ck with the D too?" CI-1 responded, "Yeah. Sometimes." DONLEY replied, "cuz I was about to say... 'cuz I got a lot of that." CI-1 responded that s/he might arrange for a sale in approximately two weeks. Then, CI-1 and DONLEY spoke briefly about cooking crack cocaine. As captured by CI-1's recording equipment, DONLEY then handed CI-1 a clear plastic bag containing suspected crack cocaine. In response, CI-1 asked how much the plastic bag containing the large bundle of suspected crack cocaine would cost, and DONLEY responded that he would charge approximately \$3,000, claiming that CI-1 could make around \$7,000 selling the drugs contained in that bag.

i. Based on my training, experience, and knowledge of this investigation, I believe that when DONLEY asked CI-1, "so you f*ck with the D too," he used coded language to ask CI-1 if s/he sells "D," a slang term commonly used by drug dealers for heroin. Further, when DONLEY said "I got a lot of that," I believe that he was informing CI-1 that DONLEY had a large quantity of heroin available for sale.

c. Then, DONLEY and CI-1 spoke about consignment orders, among other things. In pertinent part, DONLEY told CI-1 "I just don't wanna be havin' no hole for no big amount because sometimes when I be havin' to go to the store (unintelligible) I be frontin' a lot of sh*t out...That's how I really make my money...so

if I front you a half, front him a zip, front him a 7, 3 balls here, 2 balls there, I done got about 5, 6 thousand in da mo'fu*kin' streets."

i. Based on my training, experience, and knowledge of this investigation, I believe that when DONLEY told CI-1, "I just don't wanna be havin' no hole for no big amount because sometimes when I be havin' to go to the store (unintelligible)," he was using coded language to inform CI-1 that he did not want give out too much crack cocaine on consignment, and thereby risk not having enough cash on hand to purchase more drugs. Further, I believe when DONLEY told CI-1, "I be frontin' a lot of sh*t out...That's how I really make my money...so if I front you a half, front him a zip, front him a 7, 3 balls here, 2 balls there, I done got about 5, 6 thousand in da mo'fu*kin' streets," he was using coded language to inform CI-1 that he earns money by giving various quantities of drugs out on consignment, and that if he gave CI-1 a half ounce of crack cocaine, or gave another drug dealer an ounce of crack cocaine, gave another drug dealer 7 grams of crack cocaine, gave another drug dealer 3 eighth-ounce portions, and gave another drug dealer 2 eighth-ounce portions, that DONLEY would then have approximately \$5,000 or \$6,000 that was owed to him by fronting these various quantities of drugs to different dealers.

d. After concluding their drug talk, DONLEY told CI-1 that he was leaving the vehicle to get bags for the drugs in his "lady crib" and would return. DONLEY told CI-1 to sit in the back seat of his white Jeep, and to hand DONLEY the payment without saying anything when DONLEY returned. Then, surveillance

officers observed DONLEY leave the white Jeep and walk into 7705 S Yates Boulevard. CI-1 remained in the vehicle.

e. Sometime later, as captured by CI-1's recording equipment, DONLEY returned to his car accompanied by an unknown female, who, in-turn, entered the front right passenger's seat of the White Jeep. CI-1 exited the front-passenger seat of the white Jeep and entered the rear-passenger area of the vehicle. When DONLEY reentered the vehicle himself, as captured by CI-1's recording equipment, DONLEY handed CI-1 a plastic bag containing suspected crack cocaine. According to CI-1, he handed DONLEY approximately \$780 in cash. DONLEY then drove CI-1 to a gas station, where CI-1 asked if DONLEY had marijuana available for sale. DONLEY replied that he had "pounds" of marijuana. After visiting the gas station, DONLEY dropped CI-1 off where they had originally met before driving away.

f. After purchasing the drugs from DONLEY, CI-1 met with FBI agents at a predetermined location, where agents again searched CI-1 for contraband, firearms, or bundles of cash, finding no such items, except for a plastic bag containing a white rocklike substance resembling crack cocaine and weighing approximately 21 grams, which CI-1 had earlier received from DONLEY. Unless otherwise noted, CI-1's movements from his/her departure from the predetermined location preceding the controlled purchase, until his/her return to the predetermined location, where agents took custody of the drugs that CI-1 obtained from DONLEY, were documented by surveilling officers and/or by CI-1's audio-video recording equipment. Later, agents

submitted the suspected crack cocaine to the DEA Lab for analysis. According to the lab results, the white rocklike substance was positive for the presence of cocaine base (*i.e.*, crack cocaine).

4. November 24, 2021 Controlled Purchase of Crack Cocaine from DONLEY

19. On or about November 24, 2021, at approximately 10:00 a.m., CI-1 met with FBI agents at a predetermined location, where agents searched CI-1 (who was on foot) for contraband, firearms, or bundles of cash, finding no such items. Agents equipped CI-1 with concealed audio-video recording devices and a transmitter, and gave CI-1 approximately \$1,200 in cash, to purchase drugs from DONLEY. While in agents' presence and at agents' direction, CI-1 placed a recorded call to DONLEY—who was using **Target Phone 1**—to arrange for the purchase of crack cocaine. DONLEY told CI-1 to go to a bus stop near the intersection of 71st Street and South Jeffery Boulevard in Chicago. During the recorded call, DONLEY sounded as if he was also speaking to a female in a vehicle.

20. Based on my training and experience, knowledge of this investigation, my review of CI reporting documents, conversations with other agents who provided surveillance during this controlled purchase, my review of audio captured by CI-1's use of recorded telephone calls and the footage captured by CI-1's audio-video recording device, I know the following about CI-1's controlled purchase on or about November 24, 2021:

a. During the recorded phone call between CI-1 and DONLEY over **Target Phone 1**, CI-1 told DONLEY that s/he had "12 for you right now." In

pertinent part, DONLEY replied that he was pressed for time and had about “three 8 balls” on him. DONLEY tried to “front” CI-1 more crack cocaine, however CI-1 refused. After further conversation, DONLEY told CI-1 that “it’s short a little bit off, but I got to run to the doctor so it’s short a little bit off and ummm just don’t go nowhere.” Then DONLEY told CI-1 that he would give him/her “about a extra two grams” when they saw each other again.

i. Based on my training, experience, and knowledge of this investigation, I believe that when CI-1 told DONLEY that s/he had “12 for you right now,” s/he was using coded language to inform DONLEY that CI-1 had approximately \$1,200 available for a drug purchase. I also believe that when DONLEY told CI-1 that he had close to “three 8 balls” on him, and offered to “front” CI-1 more crack cocaine, he was using coded language to inform CI-1 that he had three eighth-ounce portions on him, and that he would provide CI-1 extra crack cocaine on consignment. Further, I believe that when DONLEY told CI-1 that “it’s short a little bit off” and that he would give CI-1 “about a extra two grams” when they saw each other again, DONLEY was indicating that his current delivery was slightly short, and that DONLEY would make up the shortfall by adding an extra two grams of crack cocaine to a future drug delivery to CI-1.

b. After they agreed on the terms of their present deal, DONLEY explained to CI-1 that he wanted CI-1 to schedule his/her future drug deals, stating that DONLEY “be havin’ 5, 6 n*ggas that be owin’ me. That sh*t be addin up. 2, 3

thousand...4 thousand...you know what I'm sayin? So when it's time for me to go to the store...or I'm callin' tryna collect my money. Ya feel me?"

i. Based on my training, experience, and knowledge of this investigation, I believe that when DONLEY told CI-1 that he "be havin' 5, 6 n*ggas that be owin me" and that "sh*t be addin' up. 2,3 thousand...4 thousand," DONLEY was telling CI-1 that he was owed thousands of dollars by other individuals whom he had given drugs on consignment. Further, I believe that when DONLEY told CI-1, "So when it's time for me to go to the store," he was using coded language to describe his stash location or supplier, from where DONLEY obtained additional crack cocaine.

c. Following the recorded phone call between CI-1 and DONLEY over **Target Phone 1**, DONLEY arrived at the previously stated location only a few seconds later, driving the same white Jeep as before, this time with a female passenger. As captured by CI-1's recording equipment, CI-1 partially entered the white Jeep. Then, according to CI-1, DONLEY handed CI-1 a small plastic bag containing suspected crack cocaine and CI-1—in turn—handed DONLEY approximately \$1,200 in cash. CI-1 then shut the door to the white Jeep and DONLEY and CI-1 parted ways.

d. After purchasing the drugs from DONLEY, CI-1 met with FBI agents at a predetermined location, where agents again searched CI-1 for contraband, firearms, or bundles of cash, finding no such items, except for a plastic bag containing a white rocklike substance resembling crack cocaine and weighing approximately

10.2 grams, which CI-1 had earlier received from DONLEY. Unless otherwise noted, CI-1's movements from his/her departure from the predetermined location preceding the controlled purchase, until his/her return to the predetermined location, where agents took custody of the drugs that CI-1 obtained from DONLEY, were documented by surveilling officers and/or by CI-1's audio-video recording equipment. Later, agents submitted the suspected crack cocaine to the DEA Lab for analysis. According to the lab results, the white rocklike substance was positive for the presence of cocaine base (*i.e.*, crack cocaine) and phenyltetrahydroimidazothiazole.¹⁷

5. December 2, 2021 Controlled Purchase of Crack Cocaine from DONLEY and BANKS

21. On or about December 2, 2021, at approximately 10:05 a.m., CI-1 met with FBI agents at a predetermined location, where agents searched CI-1 (who was on foot) for contraband, firearms, or bundles of cash, finding no such items. Agents equipped CI-1 with concealed audio-video recording devices and a transmitter, and gave CI-1 approximately \$1,500 in cash to purchase drugs from DONLEY. While in agents' presence and at agents' direction, CI-1 placed a recorded call to DONLEY—who was using **Target Phone 1**—to arrange for the purchase of crack cocaine. In pertinent part, CI-1 told DONLEY that s/he was at a grocery store. DONLEY and CI-

¹⁷ Based on my review of publicly available research published by the Drug Enforcement Administration, phenyltetrahydroimidazothiazole is a “cutting agent,” or drug dilutant, for cocaine, “and is now the most predominant adulterant in cocaine produced in Columbia.” See Jennifer R. Mallette, et al., “The Separation of Cocaine and Phenyltetrahydroimidazothiazole Mixtures,” *available at* https://www.dea.gov/sites/default/files/pr/microgram-journals/2013/mj10-1_12-16.pdf (last accessed July 18, 2023).

1 discussed prices for their anticipated crack cocaine deal, and DONLEY instructed CI-1 to call him when CI-1 was finished.

22. Based on my training and experience, knowledge of this investigation, personal observations and surveillance during this controlled purchase, conversations with other agents and task force officers who provided surveillance during this controlled purchase, aerial surveillance footage provided during this controlled purchase, and my review of the footage captured by CI-1's audio-video recording device, I know the following about CI-1's controlled purchase on or about December 2, 2021:

a. As captured by CI-1's recording equipment, at approximately 11:28 a.m., DONLEY arrived at the parking lot of a grocery store located at or near 2101 East 71st Street, Chicago, Illinois, in the same white Jeep¹⁸ he was seen driving in prior controlled purchases. CI-1 entered DONLEY's white Jeep and drove around with DONLEY. DONLEY told CI-1 that he didn't have any "work" for CI-1, and that DONLEY had to go get it. Further, DONLEY and CI-1 discussed CI-1's order, and DONLEY stated that when CI-1 called him, he was in the barbershop and he did not have the quantity of drugs that CI-1 requested with him. DONLEY then explained to

¹⁸ The license plate of the White Jeep was not captured on this occasion, however, my belief that this is the same White Jeep that DONLEY drove on previous occasions is based on the following: (1) the White Jeep is substantially similar in appearance to the White Jeep DONLEY had been observed driving on multiple previous, and subsequent occasions, (2) the White Jeep had a distinct mark or hole in the front left driver's side door panel (as captured on the video portion of CI-1's recording equipment during this controlled purchase), which I had observed on other occasions, and (3) the same individual (*i.e.* DONLEY) was driving the White Jeep on this occasion, which is consistent to other controlled purchases as documented further herein.

CI-1 that he was working together with his brother. When CI-1 inquired whether DONLEY was referring to “Black” (*i.e.*, Niger GRAY), DONLEY responded that he was referring to his “blood brother,” not GRAY. DONLEY then told CI-1 that he told his brother to “just grab a zip” for him so he could have CI-1’s order ready for him/her.

i. Based on my training, experience, and knowledge of this investigation, I believe that when DONLEY told CI-1 that he didn’t have any “work” with him, DONLEY was informing CI-1 that he did not presently have any crack cocaine in his possession. Further, I believe that when DONLEY told CI-1 that he told his brother to “just grab a zip,” DONLEY was referring to a one-ounce quantity of crack cocaine using coded language.

b. During the drive, as captured by CI-1’s recording equipment and according to toll analysis for **Target Phone 1**, DONLEY placed and accepted multiple telephone calls using **Target Phone 1**, in CI-1’s presence. In one of the calls, DONLEY asked an individual, who was using **Target Phone 2**, where he was. While this call was not on speakerphone, as captured on CI-1’s recording equipment, DONLEY sounded as if he was repeating what the recipient of the call (believed to be Kendall BANKS as further discussed below) had said to him. DONLEY confirmed that the individual, believed to be BANKS, was at Gas Station A.¹⁹ Moments later, as captured by CI-1’s recording equipment and according to toll analysis for **Target**

¹⁹ Given the context in which this phone call was made, agents suspect that BANKS is the person with whom DONLEY was speaking. According to toll records obtained for **Target Phone 1** pursuant to a court-authorized pen-register and trap-and-trace device, agents later determined that DONLEY called 773-XXX-5378 (**Target Phone 2**), which agents have attributed to Kendall BANKS, as discussed herein.

Phone 1, DONLEY called **Target Phone 2** again, and he and the user of **Target Phone 2** repeated their respective locations.²⁰ DONLEY and CI-1 then drove around, and according to CI-1, DONLEY handed CI-1 two plastic bags containing suspected crack cocaine. As captured by CI-1's recording equipment, DONLEY concurrently told CI-1, "that's yours right there. That's what I was finna give you right there. Check that out...that's how it's gon' look. That's the popcorn." DONLEY told CI-1 that he started his day off with a "zip," but it was "moving so fast." According to CI-1, DONLEY then took one of the plastic bags back from CI-1. DONLEY told CI-1 that the remaining bag that DONLEY left him/her was "more than a ball," containing "what I owed you plus a little more." Then, while discussing drug prices, as captured by the audio portion of CI-1's recording equipment, CI-1 gave DONLEY approximately \$1,500 and stated, "that's 13, that's 2."²¹

i. Based on my training, experience, and knowledge of this investigation, I believe when DONLEY told CI-1 "that's yours right there ... That's the popcorn," DONLEY was referring to the appearance of the crack cocaine that he was handing CI-1, which resembled popcorn in shape or texture. Further, I believe that when DONLEY told CI-1 that the crack cocaine in the bag he left with CI-1 was

²⁰ As captured by CI-1's recording equipment, this call appeared to have been played on speakerphone.

²¹ While not captured on the video portion of CI-1's recording, agents determined the cash payment took place at this point due to: (1) the above-mentioned verbal exchange where CI-1 told DONLEY "that's 13, that's 2," which agents believe was slang for \$1,300 and \$200, respectively, matching the total amount of cash (\$1,500) that CI-1 was given by agents prior to this controlled purchase; and (2) agents having searched CI-1 after the controlled purchase, and not finding any bundles of cash on his/her person.

“more than a ball” and “what I owed you plus a little more,” he was using coded language to inform CI-1 that he was providing slightly more than an eighth-ounce (3.5 gram) quantity of crack cocaine, making up for the amounts owed to CI-1 from their prior drug deal on or about November 24, 2021.

c. CI-1 and DONLEY continued talking about drug dealing and proceeds in a parking lot north of a Walgreens store located at or near 1554 East 55th Street, in Chicago, Illinois. During their conversation, as captured by CI-1’s recording equipment, DONLEY told CI-1, “I got a certain way I run my operation. I be goin’ to the store at certain different times. A mo’fu*ka might call me and say ‘Yo, I need four ounces, I need a four and a split, I need five ounces’” and “It’s time for me to go to the store or I might be havin’...like I said I might have 4, 5 thousand in the streets that a mo’fu*ka might owe to me so...I’m callin’ and collectin’ all my money. You understand what I’m sayin?”

i. Based on my training, experience, and knowledge of this investigation, I believe that when DONLEY told CI-1 that he “be goin’ to the store at certain different times,” DONLEY was describing his drug-trafficking organization, using the term “store” as a coded reference to DONLEY’s drug stash or supplier. Further, I believe that DONLEY’s references to “four ounces,” “four and a split,” and “five ounces” referred to different quantities of crack cocaine that DONLEY would be asked to supply. I also believe that when DONLEY told CI-1, “It’s time for me to go to the store or I might be havin’...like I said I might have 4, 5 thousand in the streets that a mo’fu*ka might owe to me so...I’m callin’ and collectin’ all my money,” he was

using coded language to convey to CI-1 that when DONLEY needed to restock his drug supply, he would call prior drug customers, asking them to pay up amounts that were due to DONLEY.

d. Sometime later, as captured by CI-1's recording equipment and surveilling officers' video footage, a black Chevrolet Impala, which law enforcement believes was driven by Kendall BANKS (as detailed below), arrived at the same Walgreens lot, parking next to DONLEY's white Jeep. Exiting the Jeep, DONLEY referred to BANKS as his "brother," and, as captured by CI-1's recording equipment, then walked over toward the vehicle. As captured by surveilling officers' video footage, DONLEY entered the passenger's side of the vehicle. Moments later, as captured by surveilling officers' video footage, DONLEY exited the black Chevrolet Impala and returned to the driver's seat of his white Jeep. According to CI-1, DONLEY then handed CI-1 a plastic bag containing suspected crack cocaine. As captured by CI-1's recording equipment, the black Chevrolet Impala then drove away and DONLEY, in turn, drove out of the parking lot with CI-1 in the white Jeep, as the two continued to discuss drug dealing. At one point during their conversation, DONLEY told CI-1, "If you come at me and let me know what you need...tell me, Lil' D, have this ready...from the pills, from the coke, from the raw, from the weed, from everything...(stutters)...from the D.' You know what I'm sayin'? Dope...whatever. Let me know." DONLEY then drove to the location near where he first picked up CI-1 and dropped him/her off. DONLEY and CI-1 then parted ways.

i. Based on my training, experience, and knowledge of this investigation, I believe the person whom DONLEY identified as his “brother” was Kendall BANKS, based on: (1) toll records establishing that DONLEY, using **Target Phone 1**, called BANKS’s phone number (**Target Phone 2**) before the above-mentioned interaction; (2) agents’ comparison of the voice captured on CI-1’s recording of a conversation that DONLEY had with the user of **Target Phone 2** against other intercepted communications over **Target Phone 2**, in which BANKS was referred to by his first known name, “Kendall”; and (3) BANKS being positively identified as the driver of a similar black Chevrolet Impala during a traffic stop following another controlled purchase between DONLEY and CI-1 on or about January 12, 2022, at which BANKS was present, as described further below. Given the context of the transaction, the events and statements captured by CI-1’s recording device, and additional information obtained from CI-1, I believe that when DONLEY entered the black Chevrolet Impala, he obtained crack cocaine from BANKS, which he then gave to CI-1. Additionally, I believe that during the above exchange that DONLEY, when he mentioned “pills,” “coke,” “from the raw,” “from the weed,” and “from the D” was using coded language to inform CI-1 that DONLEY could supply any number of controlled substances, including prescription pills, cocaine, heroin, marijuana, among others.

e. After purchasing the drugs from DONLEY, CI-1 met with FBI agents at a predetermined location, where agents again searched CI-1 for contraband, firearms, or bundles of cash, finding no such items, except for two plastic bags

containing a white rocklike substance resembling crack cocaine and weighing approximately 32.3 grams, which CI-1 had earlier received from DONLEY. Unless otherwise noted, CI-1's movements from his/her departure from the predetermined location preceding the controlled purchase, until his/her return to the predetermined location, where agents took custody of the drugs that CI-1 obtained from DONLEY, were documented by surveilling officers and/or by CI-1's audio-video recording equipment. Later, agents submitted the suspected crack cocaine to the DEA Lab for analysis. According to the lab results, the white rocklike substance was positive for the presence of cocaine base (*i.e.*, crack cocaine) and phenyltetrahydroimidazothiazole.

6. December 14, 2021 Controlled Purchase of Crack Cocaine and Heroin from DONLEY

23. On or about December 14, 2021, at approximately 11:47 a.m., CI-1 placed a recorded call to DONLEY—who was using **Target Phone 1**—to arrange for the purchase of crack cocaine and obtain a sample of heroin. In pertinent part, CI-1 told DONLEY that s/he would be in DONLEY's area for the purchase of crack cocaine. CI-1 then met with FBI agents at a predetermined location, where agents searched CI-1 (who was on foot) for contraband, firearms, or bundles of cash, finding no such items. Agents equipped CI-1 with concealed audio-video recording devices and a transmitter and gave CI-1 approximately \$1,500 in cash to purchase drugs from DONLEY.

24. Based on my training and experience, knowledge of this investigation, personal observations and surveillance during this controlled purchase,

conversations with other agents and task force officers who provided surveillance during this controlled purchase, telephone toll analysis of **Target Phone 1**, and my review of the footage captured by CI-1's audio-video recording device, I know the following about CI-1's controlled purchase on or about December 14, 2021:

a. At approximately 3:56 p.m., surveillance officers observed DONLEY, who drove to the intersection of East 73rd Street and South Jeffrey Boulevard, in the same white Jeep that DONLEY was seen driving during previous controlled purchases. Upon arriving, DONLEY told CI-1 to sit in the back seat, because his uncle—named “Dave,” who was already in the front-passenger seat—was helping DONLEY move from his current residence to the area of West Madison Street and South Sacramento Boulevard in Chicago. DONLEY drove around for approximately three minutes, and then surveillance officers observed that DONLEY stopped and exited the vehicle at 7705 S. Yates Boulevard in Chicago, Illinois and walked into the building. When he returned, DONLEY started driving again and appeared to be yelling on the phone with an unknown individual or individuals.

b. As captured by CI-1's recording equipment, DONLEY continued driving around with CI-1 and “Dave,” and eventually picked up an unknown subject (“US-2”), who entered DONLEY's Jeep and sat beside CI-1 in the rear passenger area. Driving onward further, DONLEY again stopped and picked up a second unknown subject (“US-3”), who sat beside CI-1, also in the rear passenger area of DONLEY's Jeep. Continuing his drive, DONLEY eventually stopped and let “Dave” out of the Jeep, at which point CI-1 moved to the front-passenger area of the car. Thereafter,

according to CI-1, DONLEY handed CI-1 two golf-ball sized packets of suspected crack cocaine.

c. Sometime later, DONLEY received a phone call from an unknown individual,²² who spoke about “holding bags.” DONLEY pulled over and US-2 departed the Jeep, before DONLEY took off again while placing a call—using **Target Phone 1**—to a person DONLEY referred to as “Lil B.”²³ As the remaining occupants of the car drove along, US-3 spoke about “dope,” referring to “his girl”—whom DONLEY called by the nickname “Chocolate”—“whipping up dope” for US-3. In response, DONLEY told US-3 to find “Lil B.” In turn, US-3—using his own phone—placed a call to an unknown number and asked if “Lil’ B” was there. Upon being advised that Lil B had just left, US-3 exited DONLEY’s Jeep.

d. Once they were alone, DONLEY told CI-1 that he did not want to speak in front of the other former occupants of the vehicle. DONLEY also said that he gave CI-1 “two fourteens,” inquiring how CI-1 wanted the “dope.” Then, according to agents’ analysis of toll records for **Target Phone 1**, DONLEY used **Target Phone 1** to call “Lil B” (*i.e.*, MURPHY) again, at 779-XXX-3791. During this call, which was partially captured by CI-1’s recording device, DONLEY instructed “Lil B” to tell

²² From observations made during surveillance and toll analysis of **Target Phone 1**, agents believe that the person calling DONLEY was Individual A, who was using telephone number 773-XXX-7499.

²³ From observations made during surveillance and toll analysis of **Target Phone 1**, agents believe that the person DONLEY referred to as “Lil B” was Byron MURPHY, who was using telephone number 779-XXX-3791.

someone named “Chocolate” to give him a “G.” DONLEY also identified US-3 as the husband of “Chocolate.”

i. Based on my training, experience, and knowledge of this investigation, I believe when DONLEY said that he gave CI-1 “two fourteens,” he was referring to two separate half-ounce (14-gram) bags of crack cocaine. Further, I believe that when DONLEY asked how CI-1 wanted the “dope,” DONLEY was inquiring as to CI-1’s preferred method of receiving heroin (*i.e.*, individual baggies or in bulk). I also believe that when DONLEY directed “Lil B” to tell “Chocolate” to give him a “G,” he was referring to a one-gram sample of heroin.

e. Thereafter, DONLEY—who, according to agents’ analysis of toll records, was still using **Target Phone 1**, in CI-1’s presence—called another unknown individual, whom he identified as “Mitchem.” DONLEY asked “Mitchem” to put “Chocolate” on the phone. Then, during this call, which was partially captured by CI-1’s recording device, DONLEY spoke with an unknown female (presumed to be “Chocolate”), whom he asked to bring “one of them grams” downstairs. The female responded that she did not have any grams and that all she had were some “nics.” DONLEY then ended the phone call.

i. Based on my training, experience, and knowledge of this investigation, I believe that when DONLEY asked the unknown female to bring “one of them grams” downstairs, he was directing his accomplice to bring a one-gram sample of heroin to him. Further, I believe that when the female voice responded all

she had were some “nics,” she, using coded language, was referring to a “nickel bag,” or \$5-quantity, of heroin.

f. DONLEY—who, according to agents’ analysis of toll records, was still using **Target Phone 1**, in CI-1’s presence—then called an unknown individual at 773-XXX-6946, asking if the individual had a “gram of the D.” During this call, which was partially captured by CI-1’s recording device, DONLEY explained that he wanted to let his “people check somethin’ out,” and that “they down to fu*k wit it bro.” Further, DONLEY discussed prices, among other things, with the unknown individual. While still on the phone, DONLEY also discussed prices of grams of heroin with CI-1.

i. Based on my training, experience, and knowledge of this investigation, I believe that when DONLEY asked the unknown individual if he had a “gram of the D,” DONLEY, using coded language, was asking for a one-gram sample of heroin. Further, I believe when DONLEY told the unknown individual that he wanted to let his “people check somethin’ out” and that “they down to fuc* with it,” DONLEY—using coded language—was saying that he had other drug dealers who wanted to sample, and potentially sell, that particular supply or strain of heroin.

g. Subsequently, as captured by CI-1’s recording equipment, DONLEY rolled down his window and spoke to an unknown male, who was on foot and informed DONLEY that the police were in the area. Driving away, DONLEY—who, according to agents’ analysis of toll records, was still using **Target Phone 1**, in CI-1’s presence—made another phone call to 773-XXX-7619 and asked for

“Chocolate.” DONLEY told “Chocolate” to bring down ten samples of heroin, later changing the quantity to eight \$5 bags of heroin. Further, DONLEY changed the prospective meeting location for the drug handoff to the intersection of East 70th Street and Merrill Avenue in Chicago, warning “Chocolate” to be careful because of the police presence in the area.

h. DONLEY, as captured by the audio portion of CI-1’s recording equipment, then continued his conversation with CI-1, inquiring whether CI-1 had “15” and CI-1—in turn—handed DONLEY approximately \$1,500 in cash and said “yup.”²⁴ At one point, an unknown individual spoke to DONLEY at his car window, purchasing three suspected crack cocaine rocks for approximately \$30. Eventually, according to CI-1, a woman whom DONLEY identified as “Chocolate” came to the window of the car, and handed DONLEY a clear plastic bag containing approximately six baggies of suspected heroin, saying “that’s six.” According to CI-1, DONLEY handed the bag containing the suspected heroin sample to CI-1 and drove off. Then, as captured by CI-1’s recording device, DONLEY told CI-1 that he wanted CI-1 to give the heroin sample that DONLEY had just provided out for free to other people, instead of selling it. Further, DONLEY told CI-1 to survey the people to whom CI-1 handled the samples, and to ask how good they were, adding that DONLEY’s group

²⁴ While not captured on the video portion of CI-1’s recording, agents determined the cash payment took place at this point due to: (1) the above-mentioned verbal exchange where DONLEY asked if CI-1 had “15,” which agents believe was slang for \$1,500, and CI-1 replied “yup,” matching the total amount of cash (\$1,500) that CI-1 was given by agents prior to this controlled purchase; and (2) agents having searched CI-1 after the controlled purchase, and not finding any bundles of cash on his/her person.

is “doin’ about ten thousand a day on the nics.” DONLEY drove CI-1 around and continued talking about dealing drugs, as captured by CI-1’s recording device. At one point, DONLEY told CI-1, “Ima give it to you at \$55 a gram.” Then, DONLEY said that he would not raise the price on CI-1 as a middleman because “you comin’ straight to the source.” After additional conversation about drug dealing, CI-1 exited DONLEY’s white Jeep and they parted ways.

i. Based on my training, experience, and knowledge of this investigation, I believe that when DONLEY asked whether CI-1 had “15,” he was confirming that CI-1 had approximately \$1,500 in cash with him/her. I also believe that when “Chocolate” arrived at DONLEY’s window and said “that’s six,” she was referring to six \$5 bags of heroin. Further, I believe that when DONLEY told CI-1 that his group is “doin’ about ten thousand a day on the nics,” he told CI-1, using coded language, that his drug trafficking organization was earning approximately \$10,000 per day selling \$5 bags of heroin. And I believe that when DONLEY told CI-1, “Ima give it to you at \$55 a gram” and “you comin’ straight to the source,” he was agreeing to sell CI-1 heroin at \$55 per gram, without a markup since CI-1 was coming straight to the supplier, meaning, DONLEY, who could control the price.

i. After purchasing the drugs from DONLEY, CI-1 met with FBI agents at a predetermined location, where agents again searched CI-1 for contraband, firearms, or bundles of cash, finding no such items, except for two plastic bags containing a white rocklike substance resembling crack cocaine and weighing approximately 25.6 grams, and one plastic bag containing smaller blue baggies of a

tan powder-like substance resembling heroin and weighing approximately 3.3 grams, which CI-1 had earlier obtained from DONLEY. Unless otherwise noted, CI-1's movements from his/her departure from the predetermined location preceding the controlled purchase, until his/her return to the predetermined location, where agents took custody of the drugs that CI-1 obtained from DONLEY, were documented by surveilling officers and/or by CI-1's audio-video recording equipment. Later, agents submitted the suspected crack cocaine and heroin to the DEA Lab for analysis. According to the lab results, the tan powder-like substance tested positive for the presence of heroin, fentanyl, and diphenhydramine, and the white rocklike substance tested positive for the presence of cocaine base (*i.e.*, crack cocaine).

7. January 12, 2022 Controlled Purchase of Crack Cocaine from DONLEY and BANKS

25. On or about January 11, 2022, at approximately 10:40 a.m., CI-1 met with FBI agents at a predetermined location, where agents searched CI-1 (who was on foot) for contraband, firearms, or bundles of cash, finding no such items. Agents equipped CI-1 with concealed audio-video recording devices and a transmitter, and gave CI-1 approximately \$3,000 in cash to purchase drugs from DONLEY. While in agents' presence and at agents' direction, CI-1 placed three recorded calls to DONLEY on **Target Phone 1**—to arrange for the purchase of crack cocaine. DONLEY did not answer the telephone. According to CI-1, just after agents departed after taking back the cash they had provided CI-1, DONLEY—who was using **Target Phone 1**—called CI-1 on or about January 11, 2022, telling CI-1 that he missed CI-1's call because

DONLEY was sleeping.²⁵ In response, according to CI-1, s/he arranged to purchase approximately two ounces of crack cocaine from DONLEY the following day, in the same location as their previous drug deals.

26. On or about January 12, 2022, at approximately 10:46 a.m., CI-1 met with agents at a predetermined location. Before CI-1 was equipped with recording devices, while s/he was in the presence of agents, CI-1 informed agents that DONLEY called CI-1 from an unknown number—which agents believe, based on subsequent toll analysis, to be 773-XXX-5723—and reaffirmed the details of the purchase of crack cocaine.²⁶ Then, according to CI-1, s/he received another phone call from DONLEY, who—again—was using an unknown number (which agents believe, based on toll records, to be 773-XXX-5723).²⁷ According to CI-1, DONLEY told CI-1 that he had to put minutes on his phone, referring to **Target Phone 1**, and was using his brother's phone in the meantime.²⁸ DONLEY then arranged, according to CI-1, to meet with CI-1 at a Dollar Tree at or near the intersection of North Kedzie Avenue and West Madison Street in Chicago, Illinois. Subsequently, agents searched CI-1 (who was on foot) for contraband, firearms, or bundles of cash, finding no such items. Agents then

²⁵ As an incoming call to CI-1's phone, this call was unrecorded. Agents have, however, confirmed through toll records that CI-1 did, in fact, receive a call from **Target Phone 1**, after they had parted ways with CI-1 on or about January 11, 2022.

²⁶ As an incoming call to CI-1's phone, this call was unrecorded. This phone number was discovered through analysis of CI-1's toll records following this controlled purchase.

²⁷ As an incoming call to CI-1's phone, this call was unrecorded. Again, this phone number was discovered through analysis of CI-1's toll records following this controlled purchase.

²⁸ As detailed below, DONLEY resumed using **Target Phone 1** during subsequent controlled drug purchases with CI-1 and CI-2 on or about February 15 and February 22, 2022.

equipped CI-1 with concealed audio-video recording devices and a transmitter, and gave CI-1 approximately \$3,000 in cash to purchase drugs from DONLEY.

27. Based on my training and experience, knowledge of this investigation, personal observations and surveillance, conversations with other agents and task force officers who provided surveillance during this controlled purchase, and my review of the footage captured by CI-1's audio-video recording device, I know the following about CI-1's controlled purchase on or about January 12, 2022:

a. As captured on CI's recording equipment, DONLEY arrived at the Dollar Tree driving the same white Jeep seen in previous controlled purchases.²⁹ CI-1 entered DONLEY's Jeep and DONLEY told CI-1 that he "had to make another serve" out west. Then, DONLEY asked CI-1 if s/he had a calculator on him/her. CI-1 responded that s/he had a "scale" and DONLEY replied, "that's what I'm talkin' bout." DONLEY then stated, "Let me see how much it's short. My brother on his way out here now to bring me some um... some more sh*t cuz I ran out...."

i. Based on my training, experience, and knowledge of this investigation, I believe that when DONLEY told CI-1 that he "had to make another serve," he was using coded language to say that he finished selling another customer crack cocaine. Further, I believe that when DONLEY told CI-1 "let me see how much

²⁹ The license plate of the White Jeep was not captured on this occasion, however, my belief that this is the same White Jeep that DONLEY drove on previous occasions is based on the following: (1) the White Jeep is substantially similar in appearance to the White Jeep DONLEY had been observed driving on multiple previous, and subsequent occasions and (2) the same individual (*i.e.* DONLEY) was driving the White Jeep on this occasion, which is consistent to other controlled purchases as documented further herein.

it's short" and that his "brother on his way out here now to bring me ... some more sh*t cuz I ran out," he was telling CI-1 that he did not have a full two ounces of crack cocaine with him, but that his "brother"³⁰ would be bringing the rest of the drugs so that DONLEY could give them to CI-1.

b. As captured on CI-1's recording equipment, CI-1 then received a telephone call from an unknown individual (whom CI-1 later identified to agents as "Brandi," whose last name CI-1 did not know), on CI-1's own phone. During CI-1's conversation, "Brandi" asked CI-1 about providing a couple of "them bags." CI-1 responded, "Yeah, I got ya." Then, "Brandi" asked CI-1 if s/he could get "any norcos," to which CI-1 responded that s/he could not get those and did not know anything about them. "Brandi" continued talking about how s/he was sick, among other things. CI-1 and "Brandi" then discussed scheduling and CI-1 told "Brandi" that CI-1 had a couple things to do. "Brandi" asked CI-1 to "just keep 'em on you" before ending the conversation.

i. Based on my training, experience, and knowledge of this investigation, I believe when the unknown individual, whom CI-1 identified to agents as "Brandi," asked CI-1 about getting a "couple of them bags," that "Brandi", using coded language, was asking CI-1 for two bags of heroin. Further, I believe that when

³⁰ Following this controlled purchase on or about January 12, 2022, FBI agents—assisted by the Chicago Police Department—were able to identify the person DONLEY described as his "brother" during a traffic stop. That person was identified, based on his driver's license card provided to investigating officers, as Kendall BANKS. Through further investigation, agents have not yet confirmed a blood or marital relationship between BANKS and DONLEY; the only indication that they are "brothers," to date, appears to be DONLEY's statements and admissions to CI-1.

“Brandi” asked CI-1 if she could get “any norcos,” that “Brandi”, using coded language, was referring to the prescription pill by that name. As discussed below, upon review of the recording of CI-1’s controlled purchase with DONLEY on or about January 12, 2022, which captured CI-1’s exchange with the unknown individual, agents debriefed CI-1 to inquire whether s/he was engaged in unauthorized criminal activity. After CI-1 admitted engaging in such activity, agents directed CI-1 to introduce another informant (CI-2, described below) to DONLEY during a subsequent controlled purchase, so that the investigation could continue without CI-1’s participation. FBI agents then discontinued using CI-1 for additional controlled drug purchases in this investigation.

c. Surveillance officers observed DONLEY and CI-1 eventually traveling back to the Dollar Tree near the intersection of North Kedzie Avenue and West Madison Street in Chicago, Illinois. There, according to CI-1 and as corroborated by information captured by CI-1’s recording equipment, at approximately 1:04 p.m., DONLEY met with an individual that law enforcement later identified as Kendall BANKS³¹—whom DONLEY identified as his “brother”—parked in a black Chevrolet Impala.³² After meeting with BANKS inside of the Impala, as captured by CI-1’s

³¹ As noted previously, approximately 35 minutes after this controlled purchase, Chicago Police Department officers conducted a traffic stop of the Impala. During the stop, officers identified BANKS—through the driver’s license he provided—as the driver and sole occupant of the Impala.

³² As captured on CI-1’s recording equipment, during their drive back to the Dollar Tree, DONLEY requested CI-1 purchase some items for him (such as “butter” and “eggs”), none of which were drug related, inside the Dollar Tree, and CI-1 agreed to do so. Then, as captured by CI-1’s recording equipment, DONLEY counted what sounded like cash aloud, which I believe he, in-turn, provided to CI-1 immediately after. DONLEY then dropped off CI-1 at or near the entrance of the Dollar Tree. As captured on CI-1’s recording equipment, CI-1 went

recording equipment and by surveilling officers' video footage, DONLEY returned to the driver's seat of his white Jeep, as BANKS departed the area. Inside the Jeep, as captured by CI-1's recording equipment, CI-1 handed DONLEY approximately \$3,000 in cash. They counted the cash together, before DONLEY provided CI-1 the plastic bag containing suspected crack cocaine. DONLEY and CI-1 attempted to weigh the crack cocaine using a digital scale. Before dropping off CI-1, DONLEY said, "that's a whole 63" and "You probably go make you 'bout 5,000 off that sh*t. Fifty five hundred 6,000....probably more than that...."

i. Based on my training, experience, and knowledge of this investigation, I believe that when DONLEY told CI-1 "that's a whole 63," he indicated that the crack cocaine he handed to CI-1 weighed approximately 63 grams. Further, I believe that when DONLEY told CI-1, "you probably go make you 'bout 5,000 off that sh*t. Fifty five hundred 6,000....probably more than," he was talking about the profits that CI-1 would make by reselling the crack cocaine. Given the context of the transaction, the events and statements captured by CI-1's recording device, and additional information obtained from CI-1, I believe that when DONLEY entered the black Chevrolet Impala, he obtained crack cocaine from BANKS, which he then gave to CI-1.

inside and purchased the requested items and returned to DONLEY's vehicle in the parking lot, which was parked next to the black Chevrolet Impala. Additionally, an aerial view of DONLEY, his vehicle, CI-1, and BANKS's vehicle movements was captured by surveillance officers, which generally depicts the events, from what could be captured from an aerial standpoint, as I have described them above.

d. After purchasing the drugs from DONLEY, CI-1 met with FBI agents at a predetermined location, where agents again searched CI-1 for contraband, firearms, or bundles of cash, finding no such items, except for one plastic bag containing a white rocklike substance resembling crack cocaine with a field weight of approximately 58.1 grams, which CI-1 had earlier received from DONLEY. Unless otherwise noted, CI-1's movements from his/her departure from the predetermined location preceding the controlled purchase, until his/her return to the predetermined location, where agents took custody of the drugs that CI-1 obtained from DONLEY, were documented by surveilling officers and/or by CI-1's audio-video recording equipment. Later, agents submitted the suspected crack cocaine to the DEA Lab for analysis. According to the lab results, the white rocklike substance, which the DEA Lab determined weighed approximately 55.687 grams, was positive for the presence of cocaine base (*i.e.*, crack cocaine).

28. As noted above, in the midst of a controlled purchase with DONLEY on or about January 12, 2022, CI-1 received a phone call from an unknown person, the substance of which suggested to agents that CI-1 was engaged in unauthorized drug-trafficking activity. Following that discovery, on or about February 3, 2022, agents debriefed CI-1 and learned a series of derogatory facts. When questioned about the recorded statements from the January 12 purchase, CI-1 admitted to occasionally brokering drug deals—without prior authorization from the FBI—in order to receive a commission. CI-1 also confirmed that CI-1 had aided an associate in shoplifting during an incident that had taken place on or about January 27, 2022. Further, CI-1

disclosed that s/he smoked a cigarette on a public train, which resulted in CI-1 being ticketed by transit authorities. CI-1 also admitted to participating in a conspiracy to fraudulently obtain cellular phones for sale on a secondary market, using identifying information from incarcerated inmates and associates. While CI-1 was forthcoming about engaging in unauthorized illegal activity, FBI agents determined that these disclosures adversely impacted any future value CI-1 could bring to the investigation. Agents therefore decided to suspend further proactive use of CI-1, after s/he introduced another informant—CI-2—to DONLEY, as detailed further below.³³

8. February 15, 2022 Controlled Purchase of Crack Cocaine from and Introduction of CI-2 to DONLEY

29. On or about February 14, 2022, at approximately 9:19 p.m., CI-1 sent an electronic message to DONLEY, using **Target Phone 1**. In that message, CI-1 told DONLEY “Give me a call,....I’m trying to get at you tomorrow around noon.i need to breath on you first. Holla at me Lil homie.....”³⁴

a. Based on my training, experience, and knowledge of this investigation, I believe that when CI-1 said s/he was “trying to get at you tomorrow around noon,” s/he was asking to meet with DONLEY for another drug purchase the next day, at approximately 12 p.m. Further, I believe that when CI-1 said s/he “need[ed] to breath[e] on you first,” and wanted DONLEY to “Holla at [CI-1],” s/he

³³ FBI agents’ last contact with CI-1 was on or about March 23, 2022, and the FBI formally closed CI-1 as a cooperating source on or about September 16, 2022.

³⁴ CI-1 later provided this text-message to agents. Upon their review of this message exchanged between CI-1’s phone and **Target Phone 1** and from a review of toll records, agents were able to confirm that CI-1 was—in fact—exchanging these text messages with **Target Phone 1**.

was using coded language to say that CI-1 wanted to talk to DONLEY over the telephone first, before they met in person.

30. Shortly after CI-1's text message on or about February 14, 2022, as confirmed by agents' toll analysis, **Target Phone 1** called CI-1.³⁵ According to CI-1, consistent with agents' instructions to him/her, CI-1 told DONLEY—who was using **Target Phone 1**—that s/he would be accompanied by CI-2, a new drug customer who was looking to enter business with DONLEY.

31. On or about February 15, 2022, at approximately 11:05 a.m., CI-1 and CI-2 met with FBI agents at a predetermined location, where agents searched CI-1 (who was on foot) and CI-2 (who was in a vehicle) for contraband, firearms, or bundles of cash, finding no such items. Law enforcement also searched CI-2's vehicle for contraband, firearms, or bundles of cash, finding no such items in the vehicle. Agents equipped CI-1 with concealed audio recording device and a transmitter, and gave CI-1 approximately \$3,000 in cash to purchase drugs from DONLEY. Agents also equipped CI-2 with concealed audio-video recording devices and a transmitter. Then, at agents' direction, CI-1 and CI-2 drove CI-2's vehicle toward the area of East 71st Street and South Jeffries Avenue in Chicago, Illinois. While enroute, DONLEY—who was using **Target Phone 1**—called CI-1. During this call, which was captured using CI-2's recording equipment, DONLEY instructed CI-1 to go to East 77th Street and South Yates Boulevard.

³⁵ As noted previously, the system used for recording CI-1's calls captures outgoing calls only, not incoming calls. Accordingly, DONLEY's incoming call to CI-1's phone was not recorded.

32. Based on my training and experience, knowledge of this investigation, personal observations and surveillance, conversations with other agents and task force officers who provided surveillance during this controlled purchase, toll analysis from **Target Phone 1**, my review of the footage captured by CI-1's and CI-2's audio-video recording devices, and information provided by CI-1 and CI-2, I know the following about CI-1's and CI-2's controlled purchase on or about February 15, 2022:

a. CI-1 and CI-2 drove to the location that DONLEY specified. Surveillance officers observed DONLEY arrive at the agreed location in a silver Ford Escape. As captured by CI-1's recording equipment and observed by surveilling officers, CI-1 and DONLEY exited their respective vehicles and walked down the sidewalk towards the gangway at or near 7719 S. Yates Boulevard. CI-2, as corroborated by his/her recording equipment, remained in CI-2's vehicle. In pertinent part, as captured by CI-1's recording device, DONLEY told CI-1, "you know it's supposed to be 56? You know what I'm sayin? But I put you um....59. You know what I'm sayin? So basically the other 3 on the house." DONLEY and CI-1 then continued talking about drugs.

i. Based on my training, experience, and knowledge of this investigation, I believe that when DONLEY told CI-1 "you know it's supposed to be 56....but I put you um...59," he was using coded language to explain that he was originally going to give CI-1 56 grams of crack cocaine, but then added an extra three grams. Additionally, I believe that when DONLEY told CI-1 "so basically the other 3 on the house," he was offering CI-1 approximately 3 grams of crack cocaine for free.

b. Then, DONLEY and CI-1 discussed the pending introduction and future drug deals between CI-2 and DONLEY. In summary, CI-1 told DONLEY that CI-2 deals with heroin. According to CI-1, DONLEY handed CI-1 a bag of suspected crack cocaine, which CI-1 placed into his/her pocket. Then, according to CI-1, DONLEY and CI-1 walked back to CI-2's vehicle, where CI-2 engaged in a discussion with DONLEY.

c. In pertinent part, and as captured by CI-2's recording device, DONLEY introduced himself to CI-2 and asked, "what you be fu*kin with? The zip and sh*t? You fu*k around with the 'nol or just fu*k with the regular D?" CI-2 responded, "both of 'em." CI-2 added that s/he normally grabbed "a hundred, a hundred twenty five." Then, CI-2 asked "what the numbers on it" and told DONLEY that s/he normally paid "70." DONLEY offered to charge "60."

i. Based on my training, experience, and knowledge of this investigation, I believe that when DONLEY asked CI-2 "what you be fu*kin with? The zip and sh*t? You fu*k around with the 'nol or just fu*k with the regular D," he was asking—using coded language—whether CI-2 dealt in ounce quantities of drugs, and whether CI-2 wanted "pure" heroin, or heroin mixed with fentanyl. Additionally, I believe when CI-2 responded "both of 'em," s/he was interested in both "pure" and fentanyl-laced heroin, and that s/he normally purchased "a hundred, a hundred twenty five," meaning 100- to 125-gram quantities at a time. Further, I believe that when CI-2 asked DONLEY "what the number on it" and further told DONLEY that s/he normally paid "70," CI-2 was asking for DONLEY's price, indicating that s/he

usually pays \$70 per gram of heroin or fentanyl; DONLEY responded by offering to charge CI-2 a lower price of \$60 per gram.

d. Then, as captured by CI-2's recording device, DONLEY offered to give CI-2 two or three grams as a free sample before s/he spent any money. CI-2 asked DONLEY if he had "tar" (meaning, black-tar heroin) as well, and DONLEY answered affirmatively. DONLEY and CI-2 spoke about drug dealing and potential further drug purchases. Before ending their conversation, DONLEY said to CI-2, "fu*k with me, I'ma throw you a lil' extra."

i. Based on my training, experience, and knowledge of this investigation, I believe that when DONLEY told CI-2, "fu*k with me, I'ma throw you a lil' extra," he was indicating that if CI-2 purchased drugs through DONLEY, he would add some extra heroin to CI-2's drug order each time.

e. Once CI-2 and DONLEY finished their conversation about drug sales, according to CI-1, CI-1 walked away from CI-2's vehicle with DONLEY, handing DONLEY approximately \$3,000 as payment for the suspected crack cocaine that DONLEY had delivered that day. DONLEY then handed CI-1 three extra empty plastic bags (which, according to CI-1, were provided to bag up the drugs), before they parted ways. CI-1 reentered CI-2's vehicle, as captured by the audio portion of a recording device placed in or on CI-1 or CI-2, and they left the area.

f. After purchasing the drugs from DONLEY, CI-1 and CI-2 met with FBI agents at a predetermined location, where agents again searched CI-1 and CI-2 for contraband, firearms, or bundles of cash, finding no such items on CI-2, and

recovering from CI-1 one plastic bag containing a white rocklike substance resembling crack cocaine with a field weight of approximately 58.3 grams, as well as three empty plastic bags, all of which CI-1 had obtained from DONLEY. Unless otherwise noted, CI-2's movements from his/her departure from the predetermined location preceding the controlled purchase, until his/her return to the predetermined location, where agents took custody of the drugs that CI-1 obtained from DONLEY, were documented by surveilling officers and/or by CI-2's audio-video recording equipment.³⁶ Later, agents submitted the drugs to the DEA Lab for analysis, which confirmed that the white rocklike substance, which the DEA Lab determined weighed approximately 56.9 grams, was positive for the presence of cocaine base (*i.e.*, crack cocaine).

9. February 22, 2022 Controlled Purchase of Fentanyl-Laced Heroin from DONLEY and MURPHY

33. On or about February 21, 2022, at approximately 7:01 p.m., CI-2, who was acting at FBI's direction, sent DONLEY at **Target Phone 1** an electronic text message which stated, "Yooo need to grab 125 tomorrow morning." CI-2 then placed a recorded call to **Target Phone 1**, which was not answered. Moments later, DONLEY, using **Target Phone 1**, returned CI-2's phone call. During this call, which was recorded, DONLEY confirmed that he read CI-2's text message about needing to "grab 125." Then, DONLEY told CI-2 "it's a go," instructing CI-2 to contact him around 30 to 40 minutes before CI-2 headed his direction. In response, CI-2 asked

³⁶ On this occasion, CI-1 appears to have been equipped only with an audio recording device.

DONLEY “where we goin?” DONLEY responded “70,” then both parties agreed upon “60” and the conversation ended.

a. Based on my training, experience and knowledge of this investigation, I believe that when CI-2 texted DONLEY “yooo need to grab 125 tomorrow morning,” s/he was using coded language to place an order for approximately 125 grams of fentanyl.³⁷ Further, I believe when DONLEY confirmed that he read CI-2’s text message and said, “it’s a go,” he was agreeing to sell CI-2 the requested amount of fentanyl. I also believe that when CI-2 asked DONLEY “where we going?” and DONLEY responded “70,” before both parties agreed upon “60,” they were using coded language to discuss the price-per-gram of fentanyl, which DONLEY initially offered at \$70 per gram, before CI-2 and DONLEY settled on \$60 per gram.

34. On or about February 22, 2022, at approximately 9:22 a.m., DONLEY—still using **Target Phone 1**—called CI-2 twice, and both phone calls went to voicemail. DONLEY then sent CI-2 a text message which stated, “I’m out now lat me no what’s up.” CI-2 responded to DONLEY via text message to **Target Phone 1**, stating, “call you rite back on a business call, but were sill on for today.” After that, CI-2 placed a recorded phone call—at agents’ direction—in which DONLEY (using **Target Phone 1**) reiterated the order of approximately 125 grams of fentanyl for \$7,500, by stating to CI-2: “That’s a hundred twenty-five on the’ nol right?” CI-2 replied, “Uh...on the who?” DONLEY responded, “On the what’s his name side.” CI-

³⁷ DONLEY and CI-2 originally agreed to a purchase of fentanyl, however, upon receipt of the substance following the controlled purchase, CI-2 told agents during a debriefing that s/he believed the substance that DONLEY sold was heroin, not fentanyl.

2 then replied, “yeah yeah yeah...sh*t....I mean....if you go gimme the ’nol for the same price then I’ll take the ’nol.” Then, DONLEY was overheard speaking to a male voice in the background—whom DONLEY identified as his “brother”—about prices. Eventually, DONLEY resumed speaking with CI-2 and stated, “we can be at 60 so um what that is? 75 right?” CI-2 replied that it was. Eventually, CI-2 and DONLEY agreed to meet at or near East 71st Street and South Jeffries Avenue in Chicago, Illinois.

a. Based on my training, experience and knowledge of this investigation, I believe that when DONLEY sent CI-2 a text message which stated “I’m out now lat me no what’s up” he was initiating contact with CI-2 to complete the drug purchase which they agreed upon the previous evening. I also believe that when CI-2 responded to DONLEY via text message (in part) “but were sill on for today,” s/he was conveying to DONLEY that s/he was still going to meet DONLEY for the previously scheduled drug transaction. Further, I believe that when DONLEY stated, “That’s a hundred twenty five on the’ nol right,” “we can be at 60,” and “75 right,” DONLEY was conveying to CI-2 using coded language that he was going to sell 125 grams of fentanyl (*i.e.*, ’nol) to CI-2 for approximately \$60 per gram, totaling approximately \$7,500.

35. Later that day, at approximately 11:44 a.m., CI-2 met with FBI agents at a predetermined location, where agents searched CI-2 and CI-2’s vehicle for contraband, firearms, or bundles of cash, finding no such items. Agents equipped CI-2 with concealed audio-video recording devices and a transmitter, and gave CI-2

approximately \$8,000 in cash to purchase drugs from DONLEY. While in agents' presence and at agents' direction, CI-2 placed a recorded call to DONLEY on **Target Phone 1**, informing DONLEY that CI-2 would be arriving to meet DONLEY in about 15 minutes. CI-2 and DONLEY communicated via additional recorded calls and text messages before they met, to disclose their locations.

36. Based on my training and experience, knowledge of this investigation, personal observations and surveillance, conversations with other agents and task force officers who provided surveillance during this controlled purchase, toll analysis from **Target Phone 1**, my review of the footage captured by CI-2's audio and video recording devices, and information provided by CI-2, I know the following about CI-2's controlled purchase on or about February 22, 2022:

a. CI-2 drove to a parking lot located near the Walgreen's drug store located at or near 7109 South Jeffery Boulevard in Chicago, Illinois. CI-2 waited for approximately a half hour and DONLEY arrived in a white Jeep. Surveillance officers observed DONLEY enter the front right passenger's seat of CI-2's vehicle and an individual that law enforcement later identified as Byron MURPHY entered the rear right passenger's seat of CI-2's vehicle.³⁸

b. Then, while CI-2 prepared to hand DONLEY approximately \$7,500 of the original \$8,000 cash that agents previously provided to him/her,

³⁸ The identification of MURPHY in this Affidavit is based on the following: After the February 22, 2022 controlled purchase described above, I reviewed the audio-video recording and compared MURPHY's driver's license photograph to the individual the CI-2 met with on February 22, 2022, and confirmed that it was MURPHY.

DONLEY told CI-2 that s/he was “hard too man, on the prices man.” As captured by CI-2’s recording device, CI-2 then handed DONLEY approximately \$7,500 cash. Then, as further captured by CI-2’s recording device, DONLEY took a clear bag containing suspected heroin from a person sitting in the rear passenger seat, what—based on agents’ surveillance and CI-2’s audio-video recording—was MURPHY. DONLEY, as also captured by CI-2’s recording device, subsequently handed the clear bag containing suspected heroin to CI-2 and told CI-2 that “I’m givin’ you the best sh*t.” Below are two screenshots, the first of which is from a recording captured from inside CI-2’s vehicle, which shows the handoff of the bag of suspected heroin from MURPHY to DONLEY, who—moments later—hands it to CI-2, the second of which is from a recording captured from inside CI-2’s vehicle, which depicts MURPHY as he was exiting CI-2’s vehicle:



DONLEY taking clear bag of drugs from backseat passenger (MURPHY)



MURPHY exiting backseat area of CI-2's vehicle

i. Based on my training, experience, and knowledge of this investigation, I believe when DONLEY told CI-2 that s/he was “hard too man, on the prices man,” DONLEY was complaining that CI-2’s price for purchasing the heroin was too low. Additionally, I believe that when DONLEY told CI-2 that “I’m givin’ you the best sh*t,” he was indicating that the heroin he was distributing to CI-2 was high quality and potent.

c. Subsequently, as captured by CI-2’s recording device, DONLEY said he had just given CI-2 “nizzol.” DONLEY and CI-2 continued talking about drugs and DONLEY did not count the cash. DONLEY then told CI-2, “that’s the best sh*t bro. The best sh*t bro. We locked in. We locked in...you feel me?” DONLEY and CI-2 finished their conversation, and DONLEY, MURPHY, and CI-2 parted ways.

i. Based on my training, experience, and knowledge of this investigation, I believe that when DONLEY claimed to have just given CI-2 “nizzol,” he was using coded language to describe fentanyl. Additionally, I believe that when DONLEY told CI-2 that “that’s the best sh*t bro. The best sh*t bro. We locked in. We locked in...you feel me,” he was describing the heroin (or fentanyl) that he provided to CI-2 as high quality and potent, and encouraging CI-2 to use DONLEY as his “locked in” contact for future drug sales.

d. After purchasing the drugs from DONLEY, CI-2 met with FBI agents at a predetermined location, where agents again searched CI-2 and CI-2’s vehicle for contraband, firearms, or bundles of cash, finding no such items, except for the leftover \$500 in cash that CI-2 did not spend, and one plastic bag containing a grey rocklike substance resembling heroin and weighing approximately 123 grams, which CI-2 earlier obtained from DONLEY. Unless otherwise noted, CI-2’s movements from his/her departure from the predetermined location preceding the controlled purchase, until his/her return to the predetermined location, where agents took custody of the drugs that CI-2 obtained from DONLEY and MURPHY, were documented by surveilling officers and/or by CI-2’s audio-video recording equipment. Later, agents submitted the suspected heroin to the DEA Lab for analysis, which determined that the substance weighed approximately 120.2 grams, and tested positive for the presence of fentanyl and heroin.

B. RELEVANT TITLE III WIRETAP ORDERS

37. On or about March 25, 2022, Acting Chief Judge Gary S. Feinerman entered an Order (the “3-25-22 Order”) authorizing the initial interception of wire communications occurring to and from **Target Phone 1**, used by DONLEY, for a 30-day period. Court-authorized interception pursuant to the 3-25-22 Order started on or about March 28, 2022, and ended on or about April 26, 2022.

38. On or about May 20, 2022, Chief Judge Rebecca R. Pallmeyer entered an Order (the “5-20-22 Order”) authorizing the renewed interception of wire and initial interception of electronic communications occurring to and from **Target Phone 1**, used by DONLEY, and the initial interception of wire communications occurring to and from **Target Phone 2**, used by BANKS,³⁹ for a 30-day period. Court-authorized interception pursuant to the 5-20-22 Order started on or about May 20, 2022, and ended on or about June 18, 2022.

39. Additionally, on or about August 10, 2022, Acting Chief Judge Manish S. Shah entered an Order (the “8-10-22 Order”) authorizing the renewed interception of wire and initial interception of electronic communications occurring to and from **Target Phone 2**, used by BANKS, and the initial interception of wire

³⁹ Law enforcement identified BANKS as the user of **Target Phone 2** in this Affidavit based on the following: First, on or about March 14, 2022, BANKS was arrested by the Chicago Police Department for, among other things, illegal possession of a controlled substance. According to the property inventory report associated with that arrest, 773-XXX-5378 (**Target Phone 2**) was listed as his phone number. Second, on or about April 3, 2022, surveillance officers observed BANKS and DONLEY standing together at or near 7705 South Yates Boulevard in Chicago, Illinois, shortly after intercepted telephone calls between **Target Phone 1** and **Target Phone 2** documented their plans to meet at that location for a suspected crack-cocaine transaction, as described further herein.

communications occurring to and from **Target Phone 3**, also used by BANKS.⁴⁰ Court-authorized interception pursuant to the 8-10-22 Order started on or about August 12, 2022, and ended on or about September 10, 2022.

C. DONLEY’S MARCH 30, 2022 DRUG DELIVERY TO INDIVIDUAL B AND FOLLOWING INTERDICTION BY LAW ENFORCEMENT

40. On or about March 30, 2022, at approximately 4:36 p.m., DONLEY, who was using **Target Phone 1**, communicated with Individual B, who was using phone number 773-XXX-5019. During this conversation, Individual B said, “Yo.” DONLEY replied, “What you need somethin?” Individual B said, “Ya, I got your money for you, ya I need somethin’ too.” DONLEY replied, “So you got the money for me, you need somethin too?” Individual B stated, “I mean, I ... I mean in either case listen bro ... like ... We ain’t gotta keep going through this sh*t, we gotta understand it n*gga.” DONLEY said, “Bro, one way or the other (UI) What you on? Where you at man?” Individual B said, “I’m coming through downtown, I just sent you my location.” DONLEY replied, “Aw ... I even ah, damn I just looked at your sh*t, on Black.” Individual B responded, “Yea, I just sent that I'm on my way to the trenches, you know, she work on CTA up north, on Foster.” DONLEY replied, “On Foster?”

⁴⁰ Law enforcement identified BANKS as the user of **Target Phone 3** in this Affidavit based on the following: First, during intercepted communications over **Target Phone 1** and **Target Phone 3**, DONLEY referred to BANKS as “Bam,” a known alias for BANKS. Second, based on review of prior intercepted communications, I have become familiar with BANKS’s voice. Upon my comparison of BANKS’s voice, as intercepted on **Target Phone 2**, to the voice intercepted on **Target Phone 3**, the voices sound similar (*i.e.* BANKS). Third, during their intercepted communications pursuant to the 5-20-22 Order, DONLEY, using **Target Phone 1**, told BANKS, who was using **Target Phone 3**, that he tried to call BANKS’s phone [**Target Phone 2**] “20 times.” Approximately one minute after those phone calls to **Target Phone 2**, DONLEY, using **Target Phone 1**, called **Target Phone 3**, BANKS’s *second* phone number.

Individual B said, “Yea ... (UI).” DONLEY said, “Yup ... (UI) I sure was gonna go up north. I’m finna, I gotta, I’m finna ... ahh ... I’m finna put something on me real fast, and meet you in the trenches. Come on.” Individual B responded, “Aight, bet.” DONLEY replied, “Aight,” and the call ended.

a. Based on my training, experience, and knowledge of this investigation, I believe that in this call, DONLEY and Individual B were negotiating a drug transaction. Specifically, I believe that in this context, DONLEY and Individual B used the word “something” as coded language for illegal drugs. Further, I believe that when Individual B said, “I’m coming through downtown, I just sent you my location,” he was informing DONLEY about where they could engage in a drug transaction.

b. After monitoring the above call, agents attempted to arrange for the interdiction of the drugs that Individual B planned to purchase from DONLEY. To that end, on or about March 30, 2022, at approximately 5:16 p.m., FBI Task Force Officers (TFOs) and Chicago Police Department (CPD) officers set up surveillance at or near 31st Street in Chicago, Illinois. There, at approximately 5:18 p.m., surveilling officers observed DONLEY parked in a Nissan Rogue at a BP gas station, located at or near 342 East 35th Street in Chicago, Illinois. DONLEY then re-parked near a fence at or near the previously mentioned location, alongside the gas station. DONLEY exited the Nissan Rogue and entered the passenger’s side of a silver Toyota Corolla, later determined to be driven by Individual B (based on a subsequent traffic stop, detailed below). About one minute later, DONLEY exited the silver Corolla,

reentered the Nissan Rogue, and then departed the area. The silver Corolla drove away as well.

c. Thereafter, TFOs—assisted by CPD officers—conducted a walled-off traffic stop of the silver Corolla at or near 3658 South Rhodes Avenue in Chicago, Illinois, after observing the driver engaging in a traffic infraction (namely, failing to use a turn signal and failing to stop at a stop sign). During the traffic stop, officers identified the driver—Individual B—by his Illinois driver’s license. Individual B was unable to provide officers proof of valid insurance and was directed to exit the vehicle. Officers also observed what appeared to be an open container of alcohol, in plain view. While performing a field interview, officers observed a bulge in Individual B’s front pocket and performed a pat-down search, during which officers felt a hard object in his front waistband area. Individual B admitted the hard object was “weed” (meaning, marijuana). He then retrieved from his waistband area a plastic bag of alleged marijuana after being directed to do so by officers. Individual B was released at scene, without being charged, and the suspected drugs were taken into CPD’s custody.

d. Subsequently, CPD released the plastic bag recovered from Individual B to the custody of FBI agents, who observed that it contained a green leafy substance consistent with the appearance of marijuana, as well as a white rock-like substance consistent with the appearance of crack cocaine. The white rock-like substance field tested positive for the presence of crack cocaine. The suspected marijuana weighed approximately 3 grams and the suspected crack cocaine weighed

approximately 6.1 grams. The suspected crack cocaine was then submitted to the DEA Lab for testing. The DEA Lab later confirmed the presence of cocaine base (*i.e.*, crack cocaine) in approximately 12 of 15 units; one unit also tested positive for the presence of methamphetamine.

D. DONLEY’S APRIL 8, 2022 DRUG DELIVERY TO MC NEAL AND FOLLOWING INTERDICTION BY LAW ENFORCEMENT (COUNT FIVE)

44. On or about April 8, 2022, at approximately 4:29 p.m., DONLEY, using **Target Phone 1**, had a conversation with Jamari MC NEAL, who was using phone number 312-XXX-9770.⁴¹ In pertinent part, DONLEY said, “What’s up with the fatty, bro?” MC NEAL responded “Man! I...you wanna play, folk. Your a*s is goofy too. That’s what I meant to tell you too. You steady f*ckin’ up.” Later, MC NEAL said, “I told you, n*ggas, ’Cuz want some money. I can’t give him no money. I don’t got no money, n*gga.” Then, DONLEY said “Okay. You supposed to came to me for the bread.” Subsequently, DONLEY told MC NEAL, “We gonna get it from Cuzzo for what other people are getting it for”; DONLEY added, “We...gonna sell that sh*t to Leaf for forty.” DONLEY further said, “He gonna buy 100 grams . . . he’s gonna make ’em pay forty a gram.” DONLEY later added, “If Cuzzo looking out for a mothaf*cker and giving it to us for thirty thirty-five, on black, me and you can go half on a

⁴¹ Law enforcement identified MC NEAL as the user of 312-XXX-9770 in this Affidavit based on the following: (1) the above phone number is subscribed to MC NEAL; (2) as detailed herein, after a series of intercepted calls between the user of the aforementioned phone number and DONLEY, which discussed an anticipated drug deal, law enforcement conducted a traffic stop of MC NEAL on or about April 8, 2022—who was identified by his driver’s license—and recovered fentanyl from him, before allowing MC NEAL to leave without being arrested; and (3) following his traffic stop and release, MC NEAL, using 312-XXX-9770, placed a call to DONLEY, who was using **Target Phone 1**, and discussed his interaction with the police.

hundred.” Eventually, MC NEAL told DONLEY, “hold up, I gotta Facetime,” before ending the call.

a. Based on my training, experience, and knowledge of this investigation, I believe that when DONLEY said, “What’s up with the fatty, bro,” he was using coded language to describe fentanyl. Further, I believe that when MC NEAL said, “Cuz want some money. I can’t give him no money. I don’t got no money,” he was conveying to DONLEY that MC NEAL was trying to purchase fentanyl from a third party, who wanted money up-front (which MC NEAL did not have currently) instead of providing MC NEAL the drugs on consignment. I also believe that when DONLEY said, “you supposed to come to me for the bread,” he was using coded language, instructing MC NEAL to come to DONLEY for future drug-related funds. Additionally, I believe that when DONLEY said, “We gonna get it from Cuzzo for what other people are getting it for,” and that they would “sell that sh*t to Leaf for forty,” he was using coded language to inform MC NEAL that they could get fentanyl for the same price that “Cuzzo” sells it to others, and that they could resell the fentanyl to a third party named “Leaf” for approximately \$40 per gram. I also believe that when DONLEY said, “He gonna buy 100 grams” and “he’s gonna make ’em pay forty a gram,” he was informing MC NEAL that “Cuzzo” was going to purchase approximately 100 grams of fentanyl, and make his customers pay \$40 per gram of fentanyl.

45. On or about April 8, 2022, at about 6:08 p.m., DONLEY, who was using **Target Phone 1**, had a conversation with Individual C, who was using 773-XXX-

7611. During this conversation, DONLEY told Individual C that he was “finna go sell a hundred grams of fatty right now.” DONLEY later added, “I’m finna sell him a hundred and I’m finna front him a hundred. I’m finna charge that seventy a G.” DONLEY spoke more about selling drugs, among other things, and the conversation ended.

a. Based on my training, experience, and knowledge of this investigation, I believe when DONLEY said that he was “finna go sell a hundred grams of fatty right now,” he was using coded language to inform Individual C that DONLEY was about to sell approximately 100 grams of fentanyl soon. Further, I believe that when DONLEY said, “I’m finna sell him a hundred and I’m finna front him a hundred. I’m finna charge that seventy a G,” he was using coded language to convey that he was going to sell 100 grams of fentanyl, on consignment, at an expected price of \$70 per gram.

b. After monitoring the above call, agents attempted to interdict a suspected fentanyl delivery between DONLEY and MC NEAL. Agents, who knew from previous intercepted conversations and controlled purchases that DONLEY conducts suspected drug deals at or near 7705 South Yates Boulevard, in Chicago, directed CPD officers and FBI TFOs to that area. At around 6:48 p.m., TFOs set up surveillance at or near the above location, where they observed DONLEY arriving in a red Nissan Rogue (which he was seen driving on previous occasions). While there, surveillance officers observed DONLEY exit his vehicle and enter a Honda

Passport,⁴² parked directly behind. Around two minutes later, DONLEY exited the Honda Passport and reentered his red Nissan Rogue momentarily, before walking toward and entering the apartment building located at or near 7705 South Yates Boulevard. Moments later, MC NEAL⁴³ exited the Honda Passport, and walked toward the same building and stood at its entryway.

c. While there, surveillance officers observed MC NEAL interacting with two additional unknown males⁴⁴ at or near the entryway, before all three then entered the apartment building. At approximately 6:52 p.m., MC NEAL, who was using phone number 312-XXX-9770, placed a phone call to DONLEY, who was using **Target Phone 1**, informing DONLEY that MC NEAL was inside the apartment building and asking DONLEY to open the door to his unit. Later, at approximately 7:50 p.m., surveillance officers saw DONLEY, followed by MC NEAL, exiting the residence, entering their respective vehicles, and driving away.

d. As MC NEAL departed the location, surveillance officers observed that he failed to heed a stop sign while traveling eastbound on the 2900 block of East 79th Street in Chicago, Illinois. Surveillance officers conveyed this information to CPD officers, who were assisting with the interdiction in an unmarked police vehicle.

⁴² According to surveilling officers, the Honda bore Illinois license plate BV45992. Searches on open-source and law-enforcement databases revealed that the car is registered to a female with the same last name as MC NEAL, at a residence located on the 8200 block of South Shore Drive in Chicago, Illinois (the same address MC NEAL provided officers during a traffic stop following the above encounter with DONLEY).

⁴³ As noted herein, MC NEAL was positively identified during a traffic stop, shortly after the above-noted interaction with DONLEY.

⁴⁴ These males—not currently believed to be involved in this transaction—left the area before DONLEY and MC NEAL.

CPD officers, who were equipped with body-worn cameras, conducted a traffic stop of MC NEAL at or near 7900 South Shore Drive in Chicago, Illinois, at approximately 7:56 p.m. CPD officers identified MC NEAL by his driver's license photo, which was provided to them by FBI agents before the traffic stop. MC NEAL was asked to exit the vehicle, handcuffed, and seated in the rear of the officers' squad car. Officers then searched the driver's-side area of the vehicle and discovered two clear plastic bags of suspected drugs, lodged in between the driver's seat and center console. Ultimately, CPD officers recovered both bags, along with a digital scale that was seized from the center console. MC NEAL was later unhandcuffed and released without charges.

e. Subsequently, CPD released the plastic bags recovered from MC NEAL to the custody of FBI agents, who observed that one contained a white powder and the second contained a tan powder, which were consistent with the appearance of fentanyl-laced heroin, with a field weight of approximately 104.4 grams. The suspected heroin-fentanyl mixture was then submitted to the DEA Lab for testing. The DEA Lab determined that the substances in both bags weighed approximately 100.4 grams in total, and that the contents of each bag tested positive for the presence of fentanyl.

46. On or about April 8, 2022, at approximately 8:29 p.m., DONLEY, who was using **Target Phone 1**, had a conversation with MC NEAL, who was using 312-XXX-9770. MC NEAL told DONLEY about his recent encounter with the police, saying, in pertinent part, "On EJ, folk, Why they just take all that from me like that" and "On EJ grave, folk. (UI) I'm trying to tell (UI) right now but he probably ain't

finna believe me. On EJ grave, n*gga. I turned down 79th, 'cuz Im like, the nine ain't even been hot. It's rainin', it's snowin'. You can't even see sh*t. All of the sudden, n*gga, I get to 79th and South Shore Drive, n*gga, by the f*ckin bus stop. On some (UI). So I can't hit it through the lot. The police across the street. Why another police pull up. (UI) they block me, they jump out, on EJ, I can't hide the sh*t (UI). I try to stuff it on the side of the seat. (UI) I'm telling you, n*gga (UI) I'm mad as hell... I set it on the side of the seat. (UI) before he put the flashlight on it the man put me in the car. I tell him finna go to the crib." DONLEY responded, "Bro, how they take? This is what I'm saying (UI) on Black grave. How they get the hundred grams bro, like on Lil Twan grave?" Later, DONLEY repeated, "How they get the hundred grams though bro?" MC NEAL said, "You see, I just left. You see me blowin' you up. It was on... it was in the car. I couldn't do nothing, n*gga. I'm suppose to be in jail. The n*gga aint say (UI)" and "Look, Lil' Derek...on EJ grave, folk. You know, you know you finna go to jail for...on EJ grave. They got the flashlight in the car. I couldn't even put the sh*t in the arm rest. You seen I put it in my (UI)." DONLEY, in turn, replied, "Why you didn't put it in your nuts, folks on Black grave Folks, what's wrong with you?" MC NEAL said, "(UI) No! Listen! They found it, folk! They woulda found...FOLK! They woulda found....they didn't say nothin'! MC NEAL and DONLEY continued their distressed discussion regarding the police encounter, and MC NEAL eventually said, "Dude like oh...he walked back to the car I'm thinkin' he finna like pull the sh*t out. He like he go back to the car and closed the door. I'm like what the f*ck? He like yeah my boss is makin' us do (stutters) traffic stops and all that sh*t. Makin' us do traffic

stops. I don't really do that sh*t...woo woo woo woo. Man you gotta get that blunt outta there. He like, thanks for being cooperative. I'm like thank you...woo woo woo. He like what's yo address? I'm like 8248 South Shore Drive, right down the street. He say thank you for being cooperative. You can go. Told you it would be quick. I'm....huh? I get in the car. I'm so scared to even move cuz I'm like...cuz I'm still at the light. I'm like hold on. Let me get to the crib. N*gga, I pulled down to the crib, I look on the side of the car, on EJ, I'm like...the sh*t woulda been by my feet by the steerin wheel some mo'f*ckin where...the sh*t didnt get hid (UI) I damn near like I said I set it on the floor, folk. On EJ, the man grabbed the sh*t. He didn't even tell his partner he had the sh*t..." The conversation ended shortly thereafter.

a. Based on my training, experience and knowledge of this investigation, I believe that in the above call, MC NEAL and DONLEY were discussing MC NEAL's stop by CPD officers, and MC NEAL's discovery that the drugs that DONLEY had supplied him earlier had been taken by the officers. Further, I believe that when DONLEY asked, "Why you didn't put it in your nuts," he was inquiring why MC NEAL did not try to hide the drugs in his underwear, to avoid discovery by the police. Further, I believe that when MC NEAL said, "He didn't even tell his partner he had the sh*t," he was suggesting to DONLEY that perhaps the CPD officers had stolen his drugs, rather than arresting MC NEAL, as MC NEAL tried to justify why—after having over 100 grams of drugs seized from his car—he had been allowed to walk away without being arrested.

47. On or about April 9, 2022 (the day after law enforcement's seizure of the fentanyl DONLEY supplied to MC NEAL), at approximately 9:24 a.m., DONLEY, who was using **Target Phone 1**, communicated with Individual C, who was using phone number 773-XXX-7611. During this conversation, DONLEY said, "I'm finna sell my key, folk." Individual C replied, "I've been told you to sell that key." DONLEY said, "To who though?" In turn, Individual C said, "That's what I'm sayin' (UI) they don't even want no key." Then DONLEY said, "I was finna say, sh*t...I'll sell it to one of your people." Individual C replied, "Let me see. I don't even know if anyone finna want no key." Eventually, DONLEY said, "(UI) seventy-five dollars a G, sh*t (UI)." DONLEY later said, "That's if you wanna go half and half. Ya feel me?" Individual C said, "Yeah, we can do it," and the conversation ended shortly thereafter.

a. Based on my training, experience, and knowledge of this investigation, I believe that in this call, DONLEY and Individual C were using the term "key" as coded language to refer to a kilogram-brick of heroin that DONLEY had available for sale. Further, I believe that when DONLEY said, "seventy-five dollars a G," he was using coded language to describe a price of approximately \$75 per gram, which I believe is consistent with the prevailing street price for heroin in and around the Chicagoland area. I also believe that when DONLEY said, "That's if you wanna go half and half," he was telling Individual C his desired price for a kilogram-quantity of heroin, on the assumption that Individual C could help broker a sale of the drugs to a third party.

E. BANKS'S PARTICIPATION IN DONLEY'S DTO

48. As further discussed at Sections III(A)(5) and III(A)(7), during controlled drug purchases that CI-1 conducted on or about December 2, 2021 and January 12, 2022, BANKS supplied DONLEY the crack cocaine that DONLEY ultimately sold to CI-1. Further, as detailed below, communications intercepted over **Target Phone 1** and **Target Phone 2**, between DONLEY and BANKS, establish their participation in a drug-trafficking conspiracy. Moreover, as established by the intercepted phone calls and surveillance detailed below, on or about May 25, 2022, BANKS supplied DONLEY with crack cocaine, which was subsequently seized by law enforcement.

1. Pertinent Communications Between DONLEY and BANKS Between March and June 2022

49. On or about March 28, 2022, at approximately 12:32 p.m., DONLEY, who was using **Target Phone 1**, communicated with BANKS, who was using **Target Phone 2**. During the conversation, DONLEY said, "I finna grab it from my old G and I'll just come bump into you bro. Bring it to you and when you done with it, then I'll just meet you somewhere and grab that sh*t and whatever. Whatever it is I just want to recook that sh*t to make it better or trade it out or whatever you gone to do for me bro. I just want to make it better, ya feel me." BANKS replied, "Alright bet."

a. Based on my training, experience, and knowledge of this investigation, I believe that in this call, DONLEY was arranging to meet with BANKS to exchange a quantity of crack cocaine. Further, from reviewing this and other intercepted calls, I believe that when DONLEY referred to "grab[bing] it from my old G," he was using coded language to describe obtaining a quantity of crack

cocaine from another co-conspirator, and switch it out for a new, more potent batch of crack cocaine to be supplied by BANKS. I also believe that when DONLEY said, “I just want to recook that sh*t to make it better,” he was instructing BANKS to re-mix (“recook”) powder cocaine with other substances to make a more potent or undiluted/unadulterated variety of crack cocaine.

50. On or about April 3, 2022, at approximately 1:11 p.m., DONLEY, who was using **Target Phone 1**, communicated with BANKS, who was using **Target Phone 2**. During the conversation, DONLEY said, “I’mma call when I get back though, but um listen folk. I need you to make that 4-way folk.” BANKS replied, “aight.” Then, DONLEY said, “But listen tho, I want two separate ounces folk. That sh*t got to be straight drop bro.” BANKS replied, “Folk I done gave you straight drop.” DONLEY then responded, “I know... I’m... I’m... I’mma have mother*ckas test it out anyways (UI), but I need that sh*t to be done up already folk.”

a. Based on my training, experience, and knowledge of this investigation, I believe that in this call, DONLEY was asking BANKS to make a four-ounce delivery of crack cocaine, using coded language (*i.e.*, “4-way”). Further, I believe that when DONLEY said, “I want two separate ounces” he was telling BANKS to deliver the crack cocaine in separate two-ounce packages. I also believe that when DONLEY and BANKS used the phrase “straight drop,” they were using coded language to refer to a potent or undiluted/unadulterated variety of crack cocaine. Lastly, I believe that when DONLEY told BANKS he “need[ed] that sh*t to be done

up already,” DONLEY was using coded language to instruct BANKS that he should deliver crack cocaine that was already cooked and dried.

b. Following this monitored telephone call, BANKS, using **Target Phone 2**, and DONLEY, using **Target Phone 1**, spoke multiple additional times, including to arrange a meeting spot for their pending crack-cocaine transaction. On or about April 3, 2022, at approximately 4:27 p.m., DONLEY, using **Target Phone 1**, called BANKS, who was using **Target Phone 2**, informing BANKS that DONLEY was on “77th Street” and “coming down the block.” At approximately 4:30 p.m., DONLEY, using **Target Phone 1**, received a call from BANKS, using **Target Phone 2**, in which BANKS inquired whether DONLEY’s “OG” (believed to be shorthand for “old girl,” coded language referring to THOMAS) was “upstairs.” DONLEY replied, “Yeah she right here, hold on.” Then, at approximately 4:31 p.m., DONLEY, using **Target Phone 1**, communicated with 773-XXX-2560 and spoke with THOMAS,⁴⁵ informing her that “Bam” (*i.e.*, BANKS) was going to “come upstairs.” FBI agents and TFOs had, concurrently, set up surveillance at or near an apartment building located at 7705 South Yates Boulevard, in Chicago, Illinois, the site of a previous controlled drug purchase between DONLEY and CI-1. Then, at approximately 4:35 p.m., surveillance officers observed a red Nissan Rogue arrive and park at or near 7705 South Yates Boulevard. At approximately 4:35 p.m., DONLEY, using **Target Phone 1**, received a call from BANKS, using **Target Phone 2**. In pertinent part, DONLEY

⁴⁵ As set forth in Section III(G)(2), *infra*, DONLEY often refers to THOMAS as “Ma” or “Mom.” Additional information attributing phone number 773-XXX-2560 to THOMAS is discussed at footnote 55.

said, “I’m in the front,” referring to the apartment building at 7705 South Yates Boulevard, and asked “where you at?” BANKS replied, “I’m upstairs.” Shortly thereafter, surveillance officers observed DONLEY exiting the red Nissan and entering the apartment building. At about 5:01 p.m., surveillance officers observed BANKS⁴⁶ and DONLEY leave the apartment building together.

c. Approximately one minute later, surveillance officers observed BANKS entering a Chevrolet Trax.⁴⁷ BANKS departed northbound on South Yates Boulevard and surveillance officers attempted to follow him. Shortly after BANKS departed the location, however, he made an abrupt U-turn, which surveillance officers recognized as a tactic to ensure law enforcement was not following him. Ultimately, surveillance officers lost sight of BANKS and his Chevrolet Trax.

51. On or about April 16, 2022, at approximately 11:39 a.m., DONLEY, who was using **Target Phone 1**, communicated with BANKS, who was using an unknown phone number.⁴⁸ During this conversation, DONLEY asked BANKS, “Can I get my

⁴⁶ BANKS’s identification is based on surveillance officers’ comparison of his Indiana driver’s license photo with the appearance of the person observed exiting the building with DONLEY on or about April 3, 2022.

⁴⁷ As stated previously, BANKS was identified as the operator of a black Chevrolet Impala on or about January 12, 2022, during a controlled drug purchase. On this occasion, on or about April 3, 2022, BANKS was observed driving a different vehicle, namely, a Chevrolet Trax bearing Florida license plate QNKH71. Registration information for the vehicle revealed that it was a rental car, serviced by Hertz Corporation. Rental records obtained from Hertz established that Kendall BANKS (the same person that surveilling officers saw leaving the apartment building at 7705 South Yates Boulevard) rented the vehicle. According to Hertz’s records, BANKS provided a different contact phone number than **Target Phone 2**, namely, 312-XXX-7854; however, BANKS is believed to be the user of **Target Phone 2** based on the other facts disclosed in this affidavit, including the intercepted calls and surveillance from on or about April 3, 2022, discussed above.

⁴⁸ According to the system monitoring wire interceptions, BANKS was using 312-XXX-9398, which agents believe is used by Individual D. Subsequent toll analysis for **Target Phone 1**

nine grams?” BANKS responded, “(UI) First you say 14 and call me and jump to 130, 134, 135.” DONLEY replied, “133.” DONLEY and BANKS continued to discuss a suspected drug deal, when DONLEY said, “Bro I’m just saying I’m letting you know what is going on. I been done with that sh*t like 3 weeks ago bro.” BANKS replied, “I don’t see how that losing a 9.” After further discussion, DONLEY said, “Listen to me. Listen to me. On my daughter, you me are my homie. I ain’t never gonna get down on you or play with your money none of that, but that’s just me talking sh*t. I don’t want that 9 grams, but on EJ, it did. I ain’t gonna lie. I made that sh*t back. I did low-balled motherfu*ker got down on a motherfu*ker all types of sh*t, but I need some, folk. Fuc* that sh*t. I’m just talking sh*t bro. Hold up don’t hang up gang.”

a. Based on my training, experience and knowledge of this investigation, I believe when DONLEY asked BANKS “Can I get my nine grams,” he was using coded language to ask BANKS for nine grams of crack cocaine. Additionally, I believe that when BANKS replied, “First you say 14 and call me and jump to 130, 134, 135,” and DONLEY replied, “133,” they were referring to an order of crack cocaine, which DONLEY confirmed was for approximately 133 grams. Further, I believe that when DONLEY said, “I don’t want that 9 grams,” and that he “made that sh*t back” and “low-balled [a] motherfu*ker,” he was using coded language to inform BANKS that DONLEY did not need an extra nine grams of crack

established, however, that during the timeframe overlapping this same interception, **Target Phone 1** was on a call with 773-XXX-5378 (*i.e.*, **Target Phone 2**), BANKS’s known phone number. Agents believe this system error took place because DONLEY also received a call from Individual D, who is known to use 312-XXX-9398, while the above-described call with BANKS was still ongoing.

cocaine, because DONLEY apparently cured a prior shortfall in BANKS's supply by selling customers smaller quantities of drugs for a higher price.

52. On or about June 1, 2022, at approximately 8:58 a.m., DONLEY, who was using **Target Phone 1**,⁴⁹ communicated with BANKS, who was using **Target Phone 3**. During that conversation, BANKS said, "What up?" DONLEY replied, "Man, get up, dude! It's the first, on black. (UI) all type of money!" BANKS said, "(UI) call my phone?" DONLEY said, "Hell yeah! I done called that sh*t twenty times" ... "On black, I been (UI) yo sh*t, bro." BANKS said, "What's goin on?" DONLEY replied, "Man, sh*t....I need a Halsted, big bro." Shortly after this part of the conversation, the phone call went silent.

a. Based on my training, experience and knowledge of this investigation, I believe when DONLEY said, "Man, get up, dude! It's the first, on black. (UI) all type of money," DONLEY was referring to the date of the call (*i.e.* June 1st) and that they could make a relatively large amount of money ("all type of money") because people get paid on the first of the month. Additionally, I believe when BANKS said, "(UI) call my phone," and DONLEY replied, "I done called that sh*t twenty times"⁵⁰ that BANKS was asking DONLEY if DONLEY called BANKS's other phone

⁴⁹ The system used to monitor phone calls separated this call into two separate sessions (6121 and 6122), which in part, was not recorded. In particular, session 6122 did not display a called phone number. However, based on agents' toll analysis for **Target Phone 3** (BANKS's other suspected line), DONLEY was, in fact, in telephonic contact with **Target Phone 3** during the approximate time periods indicated on the system used to monitor those sessions.

⁵⁰ Agents believe that during the above-mentioned interaction between DONLEY, using **Target Phone 1** and BANKS, using **Target Phone 3**, where DONLEY said that he "done called that sh*t (meaning BANKS's other phone, **Target Phone 2**) twenty times," DONLEY was overexaggerating the number of times he called **Target Phone 2**. According to agents'

number, **Target Phone 2**, and DONLEY told BANKS that he called BANKS on **Target Phone 2** approximately “twenty times.” Further, I believe when DONLEY said “I need a Halsted, big bro,” that DONLEY told BANKS, using coded language, that he needed approximately 70 grams of crack cocaine (“a Halsted”).

53. Later in their conversation, DONLEY, using **Target Phone 1**, and BANKS, using **Target Phone 3**, continued talking about prices and quantities of drugs. More specifically, DONLEY and BANKS spoke about how their respective supplies of crack cocaine were nearly depleted, when BANKS said, “I’m waiting on a mutherf*cka right now folk. Once he call me, folk. I’m, you know what I’m sayin.” After some crosstalk, BANKS said, “You know what I’m saying. It ain’t no telling. He den went to New York and watched that fight. All type of sh*t” ... “Yeah, so once he get straight sh*t I’m waiting on him folk. I ain’t gone lie I’m really on some trying to wait on him. I don’t want no...bam...panic mode shop with another mother*cka and it ain’t whatIwant...” to which DONLEY replied, “I feel you.” Then, BANKS said, “I want that sh*t, that drop, that white. I don’t want no yellow; clear; motherf*cker put out that oil base, I don’t want no of that yellow tar sh*t, none of that sh*t. I want that same matter fact (UI)...” DONLEY replied, “I’m not gonna lie... they not gonna lie, this n*gga Dink, uh Kiki’s best friend, Dink, got some books in on black. He talking about 28, though, he drops straight drop, though, but all the time I didn’t f*ck with him, though, but this n*gga rich as f*ck, on Twan. (UI) he keep them b*tches folk, on

toll analysis, DONLEY called **Target Phone 2** approximately four times prior to his conversation with BANKS over **Target Phone 3** at approximately 8:58 a.m. on June 1, 2022.

my baby, folk. But he like 28 bucks for a book on marlin, damn. I'm like, sh*t you know... I'm like, I'm gonna holler at you cousin to see what's to that sh*t, bro. But, I'm like, damn, folk. That sh*t, that sh*t, different, 28? That that that that sh*t high or that sh*t cheap?" BANKS replied, "(UI) That's decent...about 28." DONLEY and BANKS continued talking about dealing crack cocaine when eventually the call ended.

a. Based on my training, experience and knowledge of this investigation, I believe that when BANKS said, "I'm waiting on a mutherf*cka right now folk," who "went to New York and watched that fight," he was telling DONLEY that his cocaine supplier went to New York and BANKS was going to wait for "him" to return so he could purchase cocaine from that drug supplier. Additionally, I believe that when BANKS said, "I want that sh*t, that drop, that white. I don't want no yello82omethr; motherf*cker put out that oil base, I don't want no of that yellow tar sh*t, none of that sh*t," he was informing DONLEY that BANKS wants to purchase cocaine and make crack cocaine in its purest form without many adulterations or dilutants ("drop," "white") and was referring to the color crack cocaine can appear ("yellow," or "clear") when it is manufactured with many additives, reducing its relative purity. Further, I believe that when DONLEY said, "...this n*gga Dink, uh Kiki's best friend, Dink, got some books in on black. He talking about 28, though, he drops straight drop," and BANKS replied, "That's decent...about 28," DONLEY was telling BANKS about an associate of an associate named "Dink," who had kilograms of cocaine ("books"), was selling them for approximately \$28,000 each ("28"), and

asked BANKS if \$28,000 per kilogram of cocaine was a good price; I further believe that BANKS told DONLEY \$28,000 per kilogram (“28”) was a “decent” price.

2. BANKS’s May 25, 2022 Drug Delivery to DONLEY and Following Interdiction by Law Enforcement (Count Six)

54. On or about May 20, 2022, at approximately 3:56 p.m., BANKS, who was using **Target Phone 2**, communicated with DONLEY, who was using **Target Phone 1**. During their conversation, DONLEY said “Man, I need you, bro. I need one of those licks, bro.” BANKS replied, “You at the house?” DONLEY said, “Yeah.” BANKS said, “Man, you going to have to put that sh*t together yourself, bro.” After some crosstalk, DONLEY said, “Damn bro. I can’t do that, bro. Don’t worry, because I can’t be stuck with it, bro. On twan, I can’t put it together, bro. I’m not even at my OG crib, bro. I’m out west at my crib, bro. And I can’t even put this sh*t together, bro. I ain’t got no pryrex, bro. I can’t even get in traffic, bro. I ain’t got no... I can’t even drive, bro. I can’t move around, gang. I’m on crutches, bro. I just had surgery, so now I got a whole cast on my feet, bro. I can’t do nothing bro, like literally nothing. I’m trying to make money, bro. Now I’m on this now leg f*cked up fool. Your a*s faking me out all type of sh*t, bro.” After some more crosstalk, eventually BANKS said, “I know, bro. But I can’t put it together, bro. That’s what I’m trying to tell you. I can’t put it together. I can get it to you, but I can’t put it together. I even, I even, you know what I’m saying?” After some more talk about possible meeting times and plans, the call eventually ended.

a. Based on my training, experience, and knowledge of this investigation, I believe during this conversation that when DONLEY said, “I need

one of those licks, bro” and BANKS ultimately replied, “Man, you going to have to put that sh*t together yourself, bro,” they were using coded language to discuss a one-ounce quantity of crack cocaine (“one of those licks”), and BANKS told DONLEY that DONLEY was going to have to manufacture the crack cocaine from cocaine powder (“put that sh*t together”) himself. Additionally, when DONLEY said, “I can’t put it together, bro. I’m not even at my OG crib”... “I ain’t got no pryrex,” I believe that he was using coded language to inform BANKS that DONLEY could not cook the crack cocaine because he was not at his mother’s house (“OG crib”), and did not have the proper materials (“pyrex”) that are normally used in the manufacturing process of crack cocaine. Further, I believe that when BANKS said, “I can’t put it together. I can get it to you, but I can’t put it together,” he was using coded language to inform DONLEY that BANKS could not make crack cocaine on this occasion, but that he could provide unadulterated powdered cocaine to DONLEY as a substitute.

55. On or about May 21, 2022, at approximately 10:27 a.m., DONLEY, who was using **Target Phone 1**, communicated with BANKS, who was using **Target Phone 2**. Following their respective introductions, in pertinent part, BANKS said, “I ain’t got no soda to put that sh*t together.” DONLEY said, “So you not going to put it together?” BANKS said, “Yeah, just give me minute.” DONLEY replied, “Alright bro. I’m in traffic already bro. I’m finna go look at a few huh cribs. You just go head and get that sh*t out the way so I can go ahead and bump into to you in traffic and grab that sh*t myself. That you don’t have to come far. I’m already over east already so I can bump into you and grab that sh*t.” BANKS replied, “Alright.”

a. Based on my training, experience, and knowledge of this investigation, I believe that when BANKS said, “I ain’t got no soda to put that sh*ttogether,” he was using coded language to tell DONLEY that BANKS did not have one of the required ingredients (*i.e.*, baking “soda”) to manufacture crack cocaine from cocaine powder. Additionally, I believe that when DONLEY asked, “So you not going to put it together” and BANKS replied, “Yeah, just give me a minute,” they were discussing whether BANKS was ultimately going to cook crack cocaine for DONLEY, and BANKS confirmed that he would. Further, I believe that when DONLEY replied in part, “I’m already over east already so I can bump into you and grab that sh*t,” he was providing BANKS his relative location, so they could meet and DONLEY could obtain the crack cocaine from BANKS.

56. A few days later, on or about May 25, 2022, at approximately 1:32 p.m., DONLEY, who was using **Target Phone 1**, communicated with BANKS, who was using **Target Phone 2**. During that conversation, DONLEY told BANKS to “put me [DONLEY] a Halstead together” and asked “Where you [BANKS] at?” BANKS ultimately replied, “Sh*t. Gimme a minute, kinfolk.” DONLEY said, “Bro, you not gonna send me off in no hour, bro.” BANKS replied, “Bro, I’m not gon’ send you off. That’s why I ain’t answer the phone. I’m takin care of some business, folk. I’m on the phone with State Farm and all types of sh*t. I’m tryna get this car....I’m tryna get my sh*t together, folk. That’s what I’m sayin’. Gimme a minute. (UI).” DONLEY said, “Aw. Nah. Do yo thang. Do yo thang broski. I’m just talkin sh*t. On Black. But no, don’t forget about me though, bro. I need it.” BANKS replied, “Nah. I got you. I got

you. (UI)." DONLEY said, "I come to you. I can um, meet you on Stoney or somethin'." BANKS said, "Aight." DONLEY replied, "Aight" and the conversation ended.

a. Based on my training, experience, and knowledge of this investigation, I believe that when DONLEY said "put me a Halsted together," he was using coded language to order approximately 70 grams of crack cocaine (a "Halsted") from BANKS (as corroborated from a later drug seizure from DONLEY, which is further detailed herein). Further, I believe that when DONLEY said, "But no, don't forget about me though, bro. I need it"... "I can um, meet you on Stoney or something," he was telling BANKS that DONLEY was willing to meet BANKS near BANKS's believed residence, near Stoney Island Avenue, in Chicago, Illinois.

57. On or about May 25, 2022, at approximately 3:52 p.m., DONLEY, who was using **Target Phone 1**, communicated with BANKS, who was using **Target Phone 2**. During this conversation, BANKS said, "Yeah bro. I'm waiting on my girl to get back with the car. She went to Stoney and sh*t. She probably at the grocery store and when she pop up, I'ma put that sh*t together. DONLEY replied, "Bruh, it been three hours, bro. You serious, bro?" BANKS answered, "Folk, I don't be havin no soda and sh*t, though. So that's why I be like if I could just give it to you raw you, you could..." DONLEY said, "Bruh, you always have some soda, bro. Are you serious, bro?" BANKS replied, "I don't be havin' cuz I don't be havin' that sh*t around folk." DONLEY then said, "Look how much money I be spending with you, bro. Why you not gonna keep that sh*t around bro?" BANKS answered, "Damn, bro. Cuz (UI), bro." DONLEY, "(UI)." BANKS said, "You're the only person I do that sh*t for, bro."

DONLEY said, “Huh.” BANKS said, “I gotchu though, folk. I’m finna see where she at right now. I’m a call you right back, see where she at.” DONLEY replied, “Nah. If she at the grocery store take care of your business. I’m just sayin like damn, bro.” DONLEY and BANKS continued their respective drug crosstalk and eventually the call ended.

a. Based on my training, experience, and knowledge of this investigation, I believe that when BANKS said, “Folk, I don’t be havin no soda and sh*t,” he was using coded language to tell DONLEY that BANKS did not have the one of the required ingredients (baking “soda”) to convert powder cocaine to crack cocaine. Additionally, I believe that when DONLEY said, “Look how much money I be spending with you, bro. Why you not gonna keep that sh*t around bro,” he was using coded language to question why BANKS did not keep a sufficient supply of baking soda on hand, especially because DONLEY spends so much money buying crack cocaine from BANKS.

b. Following this intercepted call, at approximately 4:55 p.m., FBI agents and TFOs set up surveillance at or near DONLEY’s suspected residence at 3131 West Madison Street, in Chicago, Illinois. There, surveillance officers observed DONLEY’s white Jeep, which he was seen driving on previous occasions, in the apartment complex parking lot. Then, at approximately 5:05 p.m., DONLEY departed the parking lot in the white Jeep. While enroute to meet BANKS, DONLEY, using **Target Phone 1**, communicated with BANKS, who was using **Target Phone 2**, approximately two more times to discuss meeting at a McDonalds at or near “Stoney”

(i.e., South Stoney Island Avenue). Sometime later, surveillance officers observed DONLEY who, at approximately 5:48 p.m., parked in a McDonalds parking lot located at or near 6560 South Stoney Island Avenue, in Chicago, Illinois.

c. After that, at approximately 5:54 p.m., surveillance officers observed a silver Chrysler 200, which pulled into the McDonalds parking lot and parked next to DONLEY's white Jeep. Approximately one minute after parking, a male who agents believe to be Kendall BANKS⁵¹ exited the driver's seat of the Chrysler 200 and entered the rear right passenger's seat of DONLEY's white Jeep. Moments later, the male that agents reasonably believe to be Kendall BANKS exited DONLEY's white Jeep and eventually, both vehicles departed the parking lot.

d. Following the above parking-lot meeting, agents and TFOs surveilled DONLEY, who was driving his white Jeep. During his travel,⁵² surveillance officers observed DONLEY commit a traffic violation, namely, failing to

⁵¹ Although agents could only see part of BANKS's face during his interaction with DONLEY, identification of BANKS here is based on the following: (1) the previously intercepted calls detailing DONLEY and BANKS's pending illegal drug transaction to meet at or near that location; (2) the arrival and presence of the silver Chrysler 200 bearing Wisconsin license plate #WH1538E, which BANKS was seen (driving and) exiting on a previous occasion; (3) agents' observations of the male who agents believe to be BANKS on this occasion, whose hair style matched that of BANKS on other occasions; (4) DONLEY's admission to TFOs during his subsequent traffic stop that he bought crack cocaine from "Bam," a known alias for Kendall BANKS; and (5) during communications intercepted covering the period in the May 20, 2022 Order, a female spoke with BANKS who called the user of **Target Phone 2** "Kendall," BANKS's known first name.

⁵² After the meeting at McDonalds, DONLEY traveled, parked and met with another individual in a KFC parking lot at or near 7445 South Stoney Island in Chicago, Illinois prior to the traffic stop described in this paragraph. Communications intercepted over **Target Phone 1** pursuant to the 5-20-2022 Order indicated that the purpose of this meeting was to receive fraudulent checks and to "serve" (i.e., sell) a potential customer suspected crack-cocaine.

use a turn signal when merging with traffic at or near the intersection of 7900 South Stoney Island Avenue in Chicago, Illinois. TFOs driving an unmarked police vehicle, performed a traffic stop on DONLEY, who pulled into a CVS parking lot, at or near 8712 South Stoney Island Avenue in Chicago, Illinois. While stopped, TFOs discovered DONLEY was in possession of approximately 68.7 grams of suspected crack cocaine in or near his leg cast, where he reported recently having surgery. During a field interview conducted during that traffic stop, DONLEY admitted to officers that he received the suspected crack cocaine from “Bam” (BANKS’s known alias) and paid approximately \$1,200, among other statements. TFOs seized the suspected crack cocaine and released DONLEY without charging him. TFOs then transferred custody of the suspected crack cocaine to agents, who eventually took the substance to the DEA Lab for testing. According to the lab results, the substance—which the DEA Lab determined weighed approximately 66.6 grams—tested positive for the presence of cocaine base (*i.e.*, crack cocaine) and lidocaine.

F. ADDITIONAL COMMUNICATIONS BETWEEN CO-CONSPIRATORS

1. Intercepted Communications Between DONLEY and GRAY Between April and May 2022

58. As discussed further in Section III(A)(1), during a controlled drug purchase that CI-1 originally negotiated with GRAY on or about October 15, 2021, DONLEY made a drug delivery to CI-1, on GRAY’s behalf. Additionally, as detailed below, communications intercepted over **Target Phone 1**, between DONLEY and GRAY, establish their participation in a drug-trafficking conspiracy.

59. On or about April 1, 2022, at approximately 1:26 p.m., DONLEY, who was using **Target Phone 1**, communicated with GRAY, who was using phone number 773-XXX-4918.⁵³ During this conversation, DONLEY said, “I ain’t gonna lie to you ... I mean ... you don’t need it right this minute do you?” GRAY replied, “Yes I do, bro, I’m getting low.” Then, DONLEY said, “Okay then that mean you be out, if you get low, ... if you get low, n*gga, you owe me 140, I’m going to give you the ball regardless so that means it will be 200 even that you’re gonna give me ... now that’s out the way ... we ain’t even gonna count that ... F*ck that, that don’t even count. Cuz that deal has been out the window, you feel me? So that deal has been over with. So you got that coming regardless and don’t even count that ball or that 200 dollars you feel what I’m saying.” GRAY replied, “Yeah.” DONLEY added, “You got that coming regardless. You feel me... it’s like you basically giving me an extra 50 for an 8 ball if you really look at it like that. You feel what I’m saying?” GRAY replied, “Yeah.” DONLEY then said, “So don’t even count that. Don’t even count the extra ball. You need to try to be come up with another ... close to 550 to get you another half on top of a ball. You follow what I’m saying?” GRAY replied, “yeah.” DONLEY responded, “so it’s like you got a ball and a half ... it’s like you really can’t even lose at all with

⁵³ This call started at approximately 1:25 p.m., however, this call was interrupted shortly after it began and was continued on a different session, which did not display the phone number with which **Target Phone 1** was communicating. Agents, however, believe that DONLEY was speaking with GRAY during this call due to: (1) the nature of the discussion, (2) agents’ comparison of GRAY’s voice as captured during this call, compared to other intercepted calls, and I believe they are the same person. Further, agents believe this error took part due to **Target Phone 1** receiving a call just seconds after his initial communication with GRAY.

that lil' bro. I'm gonna save the half for 550, give me my 200 for that, on black. But if you don't have the whole 550, clear your debt, with the 200, get your eight ball and then give me what you got on your half then you going to owe me on the backend you feel me." DONLEY and GRAY then discussed marijuana, among other topics, and ultimately agreed to meet at or around East 87th Street and South Stony Island in Chicago, Illinois.

a. Based on my training, experience, and knowledge of this investigation, I believe that in this call, DONLEY and GRAY were discussing the prices for DONLEY to resupply GRAY with crack cocaine for resale. And when GRAY said, "I'm getting low," I believe that he was using coded language to tell DONLEY that GRAY's existing supply of crack cocaine was nearly depleted, asking for more crack cocaine. Further, I believe that when DONLEY said, "you owe me 140, I'm going to give you the ball regardless so that means it will be 200 even," and that "you basically giving me an extra 50 for an 8 ball," he was informing GRAY—using coded language—that DONLEY would consider GRAY's existing drug debt of approximately \$140 settled, and would provide GRAY with an extra eighth-ounce portion of crack cocaine, as long as GRAY paid DONLEY a total of approximately \$200. I also believe that when DONLEY said it would be "close to 550 to get you another half," he was using coded language to inform GRAY that another half-ounce quantity of crack cocaine would cost approximately \$550. Lastly, I believe that when DONLEY told GRAY, "But if you don't have the whole 550, clear your debt, with the 200" and "you going to owe me on the backend," DONLEY was telling GRAY to pay

DONLEY whatever GRAY could afford currently, and then owe DONLEY on a later date for any additional drugs that DONLEY supplied in the meantime.

60. On or about April 3, 2022, at approximately 8:44 p.m., DONLEY, who was using **Target Phone 1**, communicated with GRAY, who was using phone number 773-XXX-4918. During this conversation DONLEY said, “Hello.” GRAY replied, “(UI) Cookin this sh*t boy?” DONLEY responded, “Like a hour and 30 minutes like you talkin’ when, like when, what time, like you talkin’ before I met you?” GRAY stated, “Yeah.” DONLEY replied, “Yeah I probably (UI) umm like a hour (UI) cookin’ that sh*t (UI) and put that sh*t in uhh in the bag (UI) still wet?” GRAY responded, “Yeah this sh*t wet as f*ck” DONLEY then said, “Did you let it dry out?” GRAY stated, “Yeah, I’m lettin’ it dry out right now.” DONLEY instructed GRAY to “Just let it dry then see how much it weigh before you bag it up, I don’t know you shouldn’t lose but if you do lose let me know lil’ bro cause I don’t want you to bag it up and then you lose out some so let it dry right quick.” GRAY responded, “alright.” DONLEY then said, “At least like 20 minutes you know what I’m sayin’ 30 minutes.” GRAY replied, “Alright.”

a. Based on my training, experience, and knowledge of this investigation, I believe that in this call, DONLEY and GRAY were discussing a recently “cooked” batch of crack cocaine now in GRAY’s possession. Further, I believe that when GRAY said, “this sh*t wet” and DONLEY instructed GRAY to “let it dry ... before you bag it up,” they were using coded language to describe a quantity of crack cocaine that was still wet from the manufacturing process; I also believe that

DONLEY told GRAY to wait until the crack cocaine crystallized into a rocklike form (*i.e.*, “let it dry”) before GRAY bagged it up for sale. Lastly, I believe that DONLEY’s reference to “at least like 20 minutes” or “30 minutes” signified how long GRAY should wait for the crack cocaine to crystallize/dry before bagging it.

61. On or about April 10, 2022, at approximately 8:31 a.m., DONLEY, who was using **Target Phone 1**, communicated with GRAY, who was using phone number 773-XXX-4918. During this conversation, GRAY said, “Hello.” DONLEY responded, “I called you, b*tch.” GRAY said, “On black, you didn’t, folk.” Then, DONLEY said, “Bro, so I ain’t call your phone last night?” GRAY replied, “No, you didn’t.” Then, DONLEY asked, “Who you around?” GRAY responded, “I’m in the crib. I ain’t even going to pop out because I ain’t got sh*t.” DONLEY said, “On Twan, n*gga, I swear to God about that I called you. I was on some drink last night, on EJ.” GRAY said, “Yeah, you called me. You called me asking did I want to pop out somewhere with you. I was like, ‘naw,’ I’m looking to get to the bread.” Then DONLEY said, “Never.” GRAY said, “I was like, you don’t remember?” DONLEY replied, “Hell naw, on Twan.” GRAY responded, “Yeah, you called me asking did I want... yeah, you called me last night asking did I want to pop out somewhere with you. I’m like ‘naw.’ And then you was like, alright (UI) now you got to go get it from the OG crib and sh*t.” DONLEY said, “Alright here I come right now, man, man.” GRAY said, “Alright.” DONLEY replied, “Alright.”

a. Based on my training, experience, and knowledge of this investigation, I believe that in this call, DONLEY and GRAY were discussing a call

DONLEY placed to GRAY the previous evening. And when GRAY said, “I’m in the crib. I ain’t even going to pop out because I ain’t got sh*t,” I believe that he was using coded language to tell DONLEY that GRAY’s supply of crack cocaine was depleted. Additionally, I believe that when GRAY said, “I’m looking to get to the bread,” he was using coded language to tell DONLEY that GRAY was looking to make money (*i.e.*, “bread”). Further, I believe that when DONLEY said, “Alright here I come right now, man, man,” he was using coded language to tell GRAY that DONLEY was on the way to resupply him with crack cocaine.

62. On or about May 21, 2022, at approximately 1:38 p.m., DONLEY, who was using **Target Phone 1**, communicated with GRAY, who was using telephone number 773-XXX-4918.⁵⁴ During this conversation, after discussing their relative locations, DONLEY said, “I’m on 67th Stoney and hop on Lake Shore waiting on Turk, fat a*s. Sh*t, I told you it’s a drought. It’s finto be a drought, on Man Man. Ain’t nobody got no work. I’m telling you finto see. On Black, you finto see. You’re going to be like ‘Damn. Big bro just told me this dumb a*s sh*t.’ But whoever been f*cking with me, that’s who I’m f*cking with, whoever else is dead. I ain’t going to lie to you. I’m not serving no motherf*cking, on EJ. Motherf*ckers lucky my leg broke, on my life. I would have been outside. Motherf*cker’s super lucky. Like I told Turk, I said,

⁵⁴ The original beginning of this call was approximately 1:38 p.m., however, this call was interrupted shortly after it began and was continued on a different session, which did not display the phone number with which **Target Phone 1** was communicating. Agents, however, believe that DONLEY was speaking with GRAY during this call due to: (1) the nature of the discussion, (2) agents’ comparison of GRAY’s voice as depicted during this call, compared to other intercepted calls, and I believe they are the same person.

Look, on Black grave. I ain't going to lie to you. You my boy. I'll f*ck with you, but you had that energy like you wanted to f*ck with me. Turk owed this little paperwork and he fell back for a minute. He owed like \$200, \$275. He failed back. He tried to clear his debt but he still owe me, big bro. I'm going to f*ck with you but at the same time ain't going to be no overload. The way I was doing you at first. Yeah you right lil' bro. On Twan, come grab a seven. You can go crazy. He run through that but at the same time he can f*ck with me cause I know it ain't no work in the ghetto right now. You can come to me. I'm a straight drop and convenient for you. You feel me. That's what I was trying to tell your a*s. You got to go crazy and corner the market so that when n*gga don't have nothing you the only one that will have something. You opening up the door to leave room for other n*ggas to call my phone. I'm not going to turn down a dollar." DONLEY continued to talk about drug dealing and the conversation ended.

a. Based on my training, experience, and knowledge of this investigation, I believe that when DONLEY said "It's finto be a drought, on Man Man. Ain't nobody got no work," he was using coded language to tell GRAY that the amount of crack cocaine ("work") available in the market was low ("drought"). Additionally, I believe that when DONLEY said, "Turk owed this little paperwork and he fell back for a minute. He owed like \$200, \$275. He failed back. He tried to clear his debt but he still owe me, big bro," he was using coded language to tell GRAY that another drug dealer named "Turk," owed DONLEY approximately \$200 or \$275, and that "Turk" failed to pay his debt for crack cocaine. Further, I believe that when DONLEY said,

“You got to go crazy and corner the market so that when n*gga don’t have nothing you the only one that will have something,” he was using coded language to encourage GRAY to sell as much crack cocaine as possible while the relative availability on the street was low so he could “corner the market,” and users of crack cocaine would then call him for future drug purchases when they ran out of illegal drugs.

2. Intercepted Communications Between DONLEY and THOMAS Between April and June 2022, and Related Surveillance by Law Enforcement (Count Four)

63. On or about April 3, 2022, at approximately 4:25 p.m., DONLEY, who was using **Target Phone 1**, communicated with THOMAS, who was using phone number 773-XXX-2560.⁵⁵ During this conversation, DONLEY asked, “Who ... who you got (UI) can come over there and test this stuff out right quick?” THOMAS responded, “We can probably call Chocolate (UI). DONLEY said, “Call her right quick, see how long it take for you to come over there.” THOMAS asked, “You say do what?” DONLEY then said, “I say call and uh ... and see how long it take for her to come over there.” THOMAS replied, “But you got get the stuff in your hands first, I’ll call her.”

⁵⁵ Law enforcement identified THOMAS as the user of 773-XXX-2560 in this Affidavit based on the following: (1) subscriber records received pursuant to a subpoena revealed that the number is subscribed to “[THOMAS]” at 7705 S Yates Blvd in Chicago, Illinois; and (2) intercepted communications, over **Target Phone 1**, and contemporaneous surveillance via pole-camera footage (detailed further below), on or about June 13, 2022, in which DONLEY, using **Target Phone 1**, spoke with the user of 773-XXX-2560, arranging to pick her up at 7705 S. Yates Boulevard, and the identification of THOMAS (based on a comparison of pole-camera footage against her driver’s license photograph) as the person departing the premises shortly thereafter and entering DONLEY’s car. Although DONLEY addresses THOMAS as “Ma” in numerous communications intercepted over **Target Phone 1** pursuant to the 3-25-22 Order, to date, law enforcement has been unable to substantiate a *bona fide* familial relationship between them.

a. Based on my training, experience, and knowledge of this investigation, I believe that in this call, when DONLEY asked if THOMAS had someone who can “come over there and test this stuff,” he was inquiring whether THOMAS could find someone to smoke a sample of crack cocaine and assess its quality. Further, I believe that the “Chocolate” whom THOMAS identified as a potential sampler is the same individual from whom DONLEY obtained the heroin sample that he delivered to CI-1 on or about December 14, 2021, as detailed above. I also believe that when THOMAS said, “you got get the stuff in your hands first,” she was instructing DONLEY to obtain the crack cocaine first, before THOMAS arranged for “Chocolate” to test a sample of the drugs.

64. On or about April 4, 2022, at approximately 10:25 a.m., DONLEY, who was using **Target Phone 1**, communicated with THOMAS, who was using phone number 773-XXX-2560. During this conversation, DONLEY said, “Hey, Ma.” THOMAS responded, “Hey I just read Chocolate message, she said straight garbage. Naw I’m just kiddin’. Huh!” DONLEY replied, “Aw.” THOMAS then said, “I know you was just liked don’t play like that Mama. Naw, she said she said it’s a 8. She like it. It’s an 8 and a half.” DONLEY then responded, “Ok.” THOMAS added, “Something about you gotta re-light it or something.” DONLEY said, “That’s some extra stuff I don’t know about all of that now.” THOMAS, who appeared to be reading a text message given the context of her next statement, responded, “Wait a minute what she say ... She said liked it, I give it an 8 and a half, 8 and a half, clean and crispy. Re-light. So, in other words, she said...” DONLEY replied, “She said clean and crispy

mean she said she can basically re-light it again and get more.” THOMAS said, “Exactly,” and DONLEY replied, “Ok.”

a. Based on my training, experience, and knowledge of this investigation, I believe that in this call, DONLEY and THOMAS were discussing how “Chocolate” (again, believed to be the same individual from whom DONLEY obtained the heroin sample that he delivered to CI-1 on or about December 14, 2021) had assessed the quality of a crack cocaine sample. Further, I believe that when THOMAS said, “she said it’s a 8” or “an 8 and a half,” THOMAS was referring to how “Chocolate” had assessed the quality of the crack cocaine on a scale of one to ten (*i.e.*, as an 8 or 8.5/10). I also believe that when DONLEY interpreted the phrase “clean and crispy” to mean “she can basically re-light it again and get more,” he was describing how a user of this batch of crack cocaine could light and inhale the same “rock” for more than one dose, suggesting that the product was more potent.

65. On or about April 5, 2022, at approximately 10:43 a.m., DONLEY, who was using **Target Phone 1**, communicated with THOMAS, who was using phone number 773-XXX-2560 (**Count Four**). During this conversation, DONLEY said, “Hello?” THOMAS responded, “Yeah, Derek you want to sell a ball?” DONLEY replied, “Yeah, how much they got?” THOMAS, in turn, asked, “How much you sell a ball for? Don’t worry ’bout how much nobody money person got. They gonna have whatever I tell them.” DONLEY responded, “Okay well then yeah, sell one mom.” THOMAS replied, “Your a*s crazy. You talking about how much they got? You crazy. How much you sell your ball for?” DONLEY then said, “Hey ma, where you at?”

THOMAS responded, "I'm on Stony Island, boy." Then, DONLEY instructed THOMAS, "Okay, listen when you get to the back room look inside the napkins and I got them all like separated into fourteens and the, the smallest one is a seven and then you can just go inside and cut the seven open and take a ball out of there." THOMAS replied, "Alright and then how much money am I gonna get for selling it?" DONLEY responded, "I mean for whatever they go. Just give me a \$150 for it ma. Whatever they got extra, just keep that." THOMAS said, "Alright. I'm charging them \$175-\$180." DONLEY confirmed the details of the transaction and said, "Right, exactly." THOMAS responded, "Alright." DONLEY replied, "Okay, I'm at, I'm out, alright okay."

a. Based on my training, experience and knowledge of this investigation, I believe that in this call, when THOMAS asked DONLEY if he wanted to "sell a ball," she was inquiring whether DONLEY wanted her to sell an eighth-ounce (approximately 3.5 gram) portion of crack cocaine. Additionally, I believe that when DONLEY described a "back room" with "napkins" containing something "separated into fourteens" and "a seven," he was using coded language to tell THOMAS that crack cocaine was stored in a room at 7705 South Yates Boulevard, where THOMAS is believed to reside. Specifically, the crack cocaine was stored inside napkins, separated into 14-gram (half-ounce) portions and a 7-gram (quarter-ounce) portion, and that THOMAS could take an eighth-ounce quantity (an "8-ball," or 3.5-gram amount) out of the smaller 7-gram portion of crack cocaine. Lastly, I believe that when DONLEY told THOMAS, "Just give me a \$150 for it ma. Whatever they

got extra, just keep that” and THOMAS replied, “Alright. I'm charging them \$175-\$180,” they were agreeing that THOMAS could charge the customer whatever she wanted for the crack cocaine, and that DONLEY would take a fixed rate of \$150 for the sale; further, THOMAS conveyed to DONLEY that she would charge the customer approximately \$175 to \$180 for the suspected crack cocaine.

66. On or about June 1, 2022, at approximately 10:28 a.m., DONLEY, who was using **Target Phone 1**, had a conversation with THOMAS, who was using telephone number 773-XXX-2560. During this conversation, THOMAS said, “Hello.” DONLEY replied, “Ya ma, I’m still comin’.” THOMAS asked, “For what? I’m fittin to go.” DONLEY replied, “It so it so gonna be a drought I think.” THOMAS asked, “Why ya say that?” DONLEY replied, “Cause I talk to Bam. Bam not here got a hundred grams left and his connect went down for a week and umm all type type of stuff.” THOMAS said, “Umm.” DONLEY replied, “So I think it is gonna be a drought, umm it’s gonna be a drought or something ma.” THOMAS replied, “Uhh uhh.” DONLEY said, “But he said, but Bam say, he don’t wanna jump out the window and buy anything from anybody (UI) but it so hot.” THOMAS said, “Hot yeah it is definitely hot.” DONLEY replied, “Hot some a day everywhere, they in vans, undercover cops everything.” THOMAS replied, “I’m tellin’ sh*t yes they are.” DONLEY said, “They, they (UI) ok I’m still comin’.” THOMAS replied, “I probably be at work. I’m fittin’ get ready to go.” DONLEY said, “I’m gonna come get key from yo job, you heard me?” THOMAS asked, “What?” DONLEY reiterated, “I’m gonna come up there to your job. I might get the key.” THOMAS said, “Watcha comin’ up there to get the key for?”

DONLEY replied, "So I can get in the crib ma... comin' to your job." THOMAS replied, "Just give it to me. I need it. I'm gonna need it." DONLEY said, "How ya want to do it ma." THOMAS replied, "Why, I'm gonna need it that why I'm sayin' I don't want ya... I don't want ya to bring it here. Bring it to my job cause somebody want somein. You got to get it from Bam first or whatever. Whatcha gotta do?" DONLEY said, "Na uh ah i got you. I got you." THOMAS replied, "Ya but im fittin to go though, I'm waitin' on [Individual E]." DONLEY asked, "Where ya all fittin to go?" THOMAS said, "she gotta feel my..." and the call cutoff.

a. Based on my training, experience, and knowledge of this investigation, I believe that during the above conversation, DONLEY and THOMAS were scheduling a drug transaction. More specifically, I believe that when DONLEY said "It so it so gonna be a drought I think" and "Cause I talk to Bam. Bam not here got a hundred grams left and his connect went down for a week and umm all type type of stuff," DONLEY informed THOMAS, using coded language, that the existing supply of crack cocaine in the market would be depleted in the near future, making it difficult to obtain crack cocaine and that DONLEY recently spoke with BANKS ("Bam"), and BANKS's cocaine supplier was out of town and not available to supply BANKS with cocaine for approximately one week. Additionally, I believe that when DONLEY said, "Hot some a day everywhere, they in vans, undercover cops everything," he was telling THOMAS that police ("undercover cops") were patrolling the area where DONLEY normally supplies potential customers with drugs and that they were in unmarked police vehicles ("vans"). Further, I believe when DONLEY

said, “I’m gonna come up there to your job. I might get the key” ... “So I can get in the crib ma... comin’ to your job” and THOMAS ultimately replied “Bring it to my job cause somebody want somein. You got to get it from Bam first or whatever. Whatcha gotta do” that DONLEY told THOMAS that he wanted the key to her apartment so he could place the crack cocaine delivery inside of her apartment, and that THOMAS told DONLEY to bring the crack cocaine (“it”) to her place of employment because she had a potential customer for the crack cocaine (“somebody want somein”).

67. As previously mentioned in footnote 55, on or about June 13, 2022, at approximately 12:48 p.m., DONLEY, who was using **Target Phone 1**, had a phone conversation with THOMAS, who was using phone number 773-XXX-2560. During their conversation, THOMAS answered and said, “Hello?” DONLEY replied, “Yeah, Ma...” and ultimately asked THOMAS, whom he referred to as his “Ma,” if she would like to go to Retail Store A with him. THOMAS eventually agreed and told DONLEY, “here I come.” Shortly after this intercepted call, according to agents’ video surveillance via a pole camera installed at or near the location of 7705 S. Yates Boulevard, in Chicago, Illinois (THOMAS’s suspected residence, based on other intercepted calls and surveillance described herein, and based on subscriber records for 773-XXX-2560, which show that this phone number is subscribed to THOMAS at 7705 S. Yates Boulevard), a white Jeep bearing Illinois license plate #CR 34551, which DONLEY had been observed driving on multiple previous occasions (*see*

Sections III(A)(2), (3), (4), (5),⁵⁶ (6), (7),⁵⁷ and (9), above), arrived at or near 7705 S. Yates Boulevard (*see screenshots below*). Approximately eight minutes later, THOMAS, whom agents identified by comparing the pole-camera footage against her known driver's license photograph, departed the foregoing location (*see screenshot below*) and was observed on pole-camera footage entering the front-right passenger's seat of the white Jeep, which departed shortly thereafter.



***White Jeep arriving at or near 7705 S. Yates Boulevard, Chicago, Illinois
on or about June 13, 2022, at approximately 12:48 p.m.***

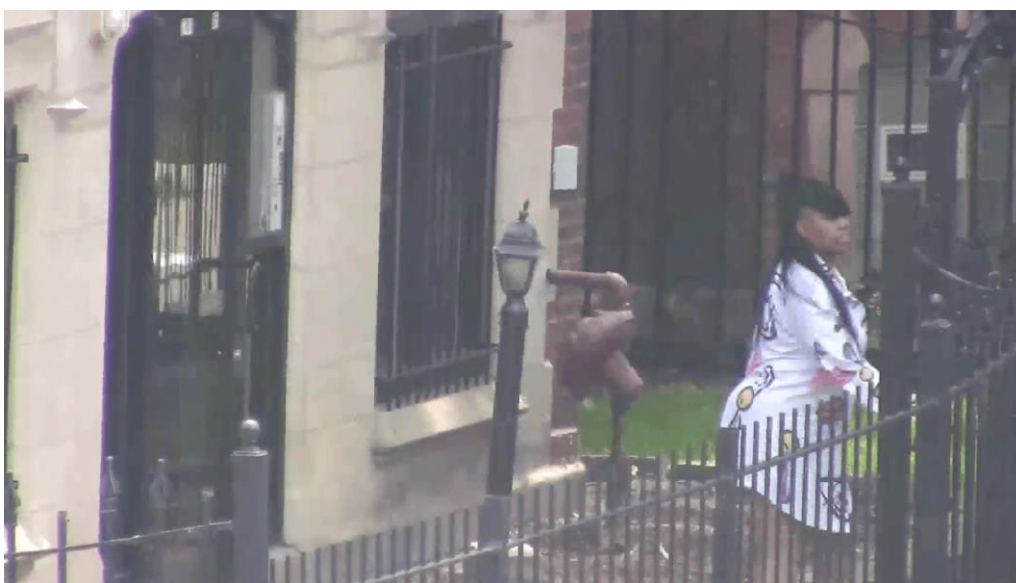
[CONTINUED ON NEXT PAGE]

⁵⁶ As mentioned previously, the license plate was not captured on this occasion, however I believe that the license plate of the white Jeep was Illinois license plate #CR 34551 based on the facts listed in that section.

⁵⁷ As mentioned previously, the license plate was not captured on this occasion, however I believe that the license plate of the white Jeep was Illinois license plate #CR 34551 based on the facts listed in that section.



White Jeep's Illinois license plate #CR 34551



*THOMAS departing 7705 S. Yates Boulevard, Chicago, Illinois
on or about June 13, 2022, at approximately 12:56 p.m.*

**3. Intercepted Communications Over Target Phones 2 and 3
Relating to BANKS's Drug-Trafficking Activities with
THOMAS**

68. As described below, interceptions over **Target Phone 2** and **Target Phone 3** pursuant to the 5-20-22 and 8-10-22 Orders, and related toll records, reveal

BANKS's use of **Target Phone 2** and **Target Phone 3** to engage in the **Subject Offenses** with other co-conspirators, including THOMAS.

69. On or about May 21, 2022, at approximately 10:34 a.m., BANKS, who was using **Target Phone 2**, had a conversation with THOMAS, who was using telephone number 773-XXX-2560.⁵⁸ During this conversation, THOMAS asked BANKS if he could come to her “job today.” In pertinent, BANKS said, “Yeah. What you tryna do?” THOMAS replied, “A fourteen.” BANKS responded, “Aight. I’ll be there in ten minutes.” THOMAS said, “Nah. Damn! Sh*t! I’m not at work right now!” BANKS replied, “No. I’m finna get...I just woke up...like. Gettin’ ready to put some clothes on or something.” Then, THOMAS said, “You say what?” BANKS said, “I said nah I’m sayin I finna get ready and put some clothes on and stuff now. Gimme like twenty minutes.” THOMAS said, “Well you go have to give me long than that because when I get up there I gotta get the rest of the money from my boss because I get paid today.” BANKS said, “Aight.” THOMAS replied, “You talk to my son?” BANKS asked, “Huh?” THOMAS asked, “You talk to Derek?” BANKS replied, “Yeah.” THOMAS said, “Mmm. I ain’t talkin to his a*s.” BANKS laughed and said, “Aight look...” THOMAS replied, “Huh? I’m a call...huh?” BANKS said, “Just gimme like a hour or somethin’.” THOMAS then said, “I’m a call you when I’m ready. That’s what I’m sayin. I’m a be at my job today. I’m finna walk out the door now. I’ll be there til seven o’clock.” BANKS replied, “Aight, bet.” Then, THOMAS said, “Ok. So what you do is, just have

⁵⁸ Though the THOMAS’s phone number was not captured by the system monitoring the calls, agents’ analysis of BANKS toll records revealed he was in fact calling with THOMAS’s phone number, 773-XXX-2560, during this time.

my food ready. You know what I'm sayin? Have it ready and dry." BANKS said, "Aight, bet. I got you." Shortly after that exchange, the conversation ended.

a. Based on my training, experience, and knowledge of this investigation, I believe that when BANKS asked, "Yeah. What you tryna do?" and THOMAS replied, "A fourteen," they were using coded language to discuss THOMAS's purchase of "fourteen" grams of crack cocaine from BANKS. Additionally, I believe that when THOMAS asked BANKS "You talk to my son?" ... "You talk to Derek?" and BANKS replied, "Yeah," THOMAS was identifying Derek DONLEY as her son, BANKS was affirming that he had spoken with DONLEY. Further, I believe that when THOMAS said, "So what you do is, just have my food ready. You know what I'm sayin? Have it ready and dry" and BANKS said, "Aight, bet. I got you," they were using coded language to describe how BANKS would deliver crack cocaine ("food") that was ready to be smoked ("dry") to THOMAS.

70. On or about June 13, 2022, at approximately 10:19 a.m., Kendall BANKS, using **Target Phone 2**, had a conversation with THOMAS, who was using telephone number 773-XXX-2560. During this conversation, THOMAS said, "Hello?" BANKS replied, "What up?" THOMAS said, "Hey Bam. I know you probably asleep. Derek came to you the other day right?" BANKS said, "Mmmm... I think so yea." THOMAS replied, "You still got the same food?" BANKS said, "Yea." THOMAS said, "Ok. When you get up, give me a call. I need... um... to get on the 14 bus and I'm gonna be at home." BANKS said, "Alright, bet" THOMAS said, "Alright. As soon as possible, ok?" BANKS replied, "Alright so like around 12?" THOMAS said, "Huh?"

BANKS replied, “(UI).” THOMAS asked, “About 12?” BANKS replied, “Na, I'm saying like 11 o'clock, 10:45.” THOMAS said, “Alright. Ok I'll be at home.” BANKS said, “Alright.” THOMAS said, “Ok. Bye.”

a. Based on my training, experience and knowledge of this investigation, I believe when THOMAS said, “Hey Bam. I know you probably asleep. Derek came to you the other day right” and “You still got the same food” that THOMAS acknowledged that she was talking to BANKS (“Hey Bam”) and was referring to a possible drug deal BANKS completed with DONLEY on a different day and that THOMAS was asking BANKS for the same crack cocaine (*i.e.* “food”). Additionally, I believe when BANKS said, “Yea” that BANKS told THOMAS that he had the same batch of crack cocaine that he previously delivered to DONLEY.

71. On or about August 22, 2022, at approximately 6:42 p.m., BANKS, who was using **Target Phone 2**, communicated with THOMAS, who was using 773-XXX-2560. During their conversation, which was only recorded in part, THOMAS said “chicken wings and I don't want 'em wet.” BANKS replied, “I gotcha. Damn, I just came from there”...“I got you, though.” THOMAS replied, “Well, I know it's gonna be two hours, right?” BANKS replied, “Nah nah nah. It ain't gon' be no two hours. Pry gon' be like...ten to fifteen minutes.” THOMAS said, “Ok.” BANKS said, “They love the new ones better...” After some crosstalk, BANKS said, “Aight. I got you. I'll be there in a minute.” THOMAS said, “Aight. (UI)” and their conversation ended.

a. Based on my training, experience and knowledge of this investigation, I believe that when THOMAS said, “chicken wings and I don't want

'em wet," she asked BANKS, using coded language, for a portion of crack cocaine (*i.e.*, "chicken wings") and to ensure it was dry (*i.e.*, "don't want 'em wet"). Additionally, I believe that when BANKS said "They love the new ones better..." he told THOMAS, using coded language, that users of crack cocaine (*i.e.*, "they") liked his most recent batch of crack cocaine better than portions he previously supplied THOMAS. Further, I believe when BANKS said "Aight, I got you. I'll be there in a minute" that BANKS agreed to sell THOMAS a portion of crack cocaine and gave her a timeframe in which she could expect him to arrive.

72. On or about August 30, 2022, at approximately 2:59 p.m., BANKS, who was using **Target Phone 2**, communicated with THOMAS, who was using 773-XXX-2560. During their conversation, THOMAS said, "Hey Bam! I need to see you. Ok, but you waitin' on a car right? Because [Individual E] said she finna come and meet you." BANKS replied, "Um, yeah. She can come get it from me if she want to. I'm sayin' she can pull up on me if she want to." THOMAS replied, "And get it?" BANKS said, "Yeah." After some crosstalk arranging payment, THOMAS said, "Ok so you'll give it to [Individual E], right?" BANKS said, "Yeah." THOMAS said, "Ok I'm finna call her. Same thing like last time" and their conversation ended.

a. Based on my training, experience and knowledge of this investigation, I believe that when THOMAS said "I need to see you. Ok, but you waitin' on a car right? Because [Individual E] said she finna come and meet you," she was telling BANKS, using coded language, that she needed more crack cocaine (*i.e.*, "I need to see you") and that Individual E would come pick up the crack cocaine from

BANKS (*i.e.*, “[Individual E]...come and meet you”). Additionally, I believe that when BANKS said, “I’m sayin’ she can pull up on me if she want to,” he told THOMAS, using coded language, that Individual E could come pick up the suspected crack cocaine from him. Further, I believe when THOMAS said, “Same thing like last time,” she told BANKS, using coded language, that she wanted to purchase approximately 14 grams of crack cocaine, like she had ordered on previous occasions (*i.e.*, “like last time”).

IV. CONCLUSION

73. For all the reasons described above, there is probable cause to believe that the following individuals committed the following **Subject Offenses**:

a. DONLEY, BANKS, GRAY, MC NEAL, and THOMAS conspired to distribute, and to possess with intent to distribute, controlled substances, in violation of Title 21, United States Code, Sections 841(a) and 846, as alleged in Count One of this complaint;

b. DONLEY and GRAY distributed a quantity of cocaine, in violation of Title 21, United States Code, Section 841(a) and Title 18, United States Code, Section 2, as alleged in Count Two;


c. DONLEY and MURPHY distributed 100 grams or more of heroin and 40 grams or more of fentanyl, in violation of Title 21, United States Code, Section 841(a) and Title 18, United States Code, Section 2, as alleged in Count Three;

d. THOMAS used a communication facility, namely, a cellular telephone, in committing and facilitating the drug-trafficking conspiracy alleged in this complaint, as alleged in Count Four;

e. DONLEY and MCNEAL possessed with intent to distribute 100 grams or more of heroin and 40 grams or more of fentanyl, in violation of Title 21, United States Code, Section 841(a) and Title 18, United States Code, Section 2, as alleged in Count Five; and

f. DONLEY and BANKS possessed with intent to distribute a quantity of cocaine, in violation of Title 21, United States Code, Section 841(a)(1), as alleged in Count Six.

FURTHER AFFIANT SAYETH NOT.


MICHAEL A. LONG
Special Agent,
Federal Bureau of Investigation

SWORN TO AND AFFIRMED
by telephone July 25, 2023


Honorable YOUNG B. KIM
Chief United States Magistrate Judge