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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

ANDREW M. SANTILLI and  
DEMETRIUS WILSON, a/k/a "J"

CASE NUMBER:  
**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**

On or about December 24, 2017, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere, defendant ANDREW M. SANTILLI violated:

*Code Section*

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

*Offense Description*

knowing and intentional possession, in and affecting interstate commerce, of a firearm, namely, a Smith & Wesson, model SW9V, 9-millimeter handgun, bearing serial number PAY3009, after previously having been convicted of a term of imprisonment exceeding one year

**Count Two**

On or about December 24, 2017, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere, defendant DEMETRIUS WILSON, a/k/a "J," violated:

*Code Section*

Title 18, United States Code, Section 924(c)(1)(A)

*Offense Description*

knowing and intentional carrying, use, and possession of a firearm, namely, a Smith & Wesson, model SW9V, 9-millimeter handgun, bearing serial number PAY3009, during and in relation to, and in furtherance of, a drug trafficking crime for which he could be prosecuted in a court of the United States, namely, distribution of a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1)

This criminal complaint is based upon these facts:

X Continued on the attached sheet.

\_\_\_\_\_  
PAUL DAOU

Special Agent, Bureau of Alcohol, Tobacco,  
Firearms & Explosives (ATF)

Sworn to before me and signed in my presence.

Date: June 11, 2018

\_\_\_\_\_  
*Judge's signature*

City and state: Chicago, Illinois

DANIEL G. MARTIN, U.S. Magistrate Judge  
*Printed name and Title*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

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**AFFIDAVIT**

I, PAUL DAOU, being duly sworn, state as follows:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms & Explosives (“ATF”) and have been so employed since approximately September 2015.

2. As part of my duties as an ATF Special Agent, I investigate criminal violations relating to federal firearms laws, including Title 18, United States Code, Sections 922 and 924, as well as federal narcotics laws, including Title 21, United States Code, Sections 841(a)(1) and 846. I have received training in the area of gang investigations, firearms investigations, narcotics investigations, money laundering, and financial investigations.

3. This affidavit is submitted in support of a criminal complaint alleging that ANDREW SANTILLI, a previously convicted felon, possession a firearm, in violation of Title 18, United States Code, Section 922(g)(1), and that DEMETRIUS WILSON knowingly and intentionally carried, used, and possessed a firearm during and in relation to, and in furtherance of, a drug trafficking crime, in violation of Title 18, United States Code, Section 924(c)(1)(A). Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint, 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 the defendants committed the offenses alleged in the complaint.

### **Overview**

4. As described in greater detail below, in approximately November 2017, ANDREW SANTILLI introduced an undercover officer (“UC-1”) posing as a narcotics customer to DEMETRIUS WILSON. In approximately December 2017, UC-1 purchased one and two gram amounts of heroin from WILSON approximately four times. During the course of those controlled buys, WILSON inquired if UC-1 could obtain a firearm for WILSON. On or about December 18, 2017, UC-1 introduced a second undercover officer (“UC-2”) posing as a firearms dealer to WILSON. UC-2 showed WILSON several firearms that were available for purchase. WILSON agreed to purchase a Glock, .40 caliber semi-automatic pistol in exchange for approximately five grams of heroin, but never completed the transaction because of apparent concerns about making the exchange in public view outside of his apartment building. As described in greater detail below, approximately one week later, SANTILLI sold a firearm to WILSON in exchange for heroin without the knowledge or approval of law enforcement.

5. On or about March 1, 2018, law enforcement executed a search warrant at WILSON’s apartment and recovered a loaded Smith & Wesson, model SW9V, 9-millimeter handgun. After waiving his *Miranda* rights, WILSON acknowledged that the Smith & Wesson handgun was his and stated that he obtained it from “an Army guy who goes by the name of Drew,” apparently referring to ANDREW

SANTILLI. WILSON also provided consent to search his phone, which contained text messages indicating that on or about December 24, 2017, SANTILLI sold the Smith & Wesson handgun—referred to as the “Nina [9-millimeter]”—to WILSON in exchange for “a gram and a half [of heroin].”<sup>1</sup>

6. Agents confronted SANTILLI about the apparent firearm-for-heroin deal that he had arranged and executed with WILSON. During a voluntary interview, SANTILLI admitted that he had sold the Smith & Wesson handgun to WILSON in exchange for heroin.

### **Facts Establishing Probable Cause**

#### **SANTILLI introduces the UC to WILSON**

7. On or about November 16, 2017, Magistrate Judge M. David Weisman issued a warrant (17 M 583) authorizing law enforcement to search SANTILLI’s residence located in Elmhurst, Illinois. The search warrant application established probable cause to believe that SANTILLI, a convicted felon,<sup>2</sup> stored firearms and

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<sup>1</sup> At various points in this Affidavit, I have provided my interpretations of certain conversations in brackets and otherwise. My interpretations are based on my knowledge of the investigation to date, the contents and context of the conversations, prior and subsequent conversations, the results of physical surveillance, conversations with other agents, and my experience and familiarity with narcotics trafficking organizations generally. In addition, the summaries of conversations in this Affidavit do not necessarily include references to all topics covered during the conversation or all statements made by the speakers on the topics that are mentioned in this Affidavit.

<sup>2</sup> Specifically, according to law enforcement databases, SANTILLI has approximately three prior felony convictions: (1) a January 2015 felony conviction in the Circuit Court of DuPage County, Illinois, for theft by deception, for which SANTILLI received a sentence of two years’ conditional discharge; (2) a January 2011 felony conviction in the Circuit Court of DuPage County, Illinois, for retail theft, for which SANTILLI received a sentence of two years’ imprisonment after SANTILLI’s probation was revoked; and (3) an April 2018 felony conviction in the Circuit Court of DuPage County, Illinois, for possession of a controlled substance, for which SANTILLI has not yet been sentenced.

narcotics at his Elmhurst residence, including a fully automatic rifle that SANTILLI was apparently assembling and planning to sell to another convicted felon that night. Pursuant to 18 U.S.C. § 3103a, Judge Weisman further authorized law enforcement to delay notification of the search warrant's execution for up to 30 days.

8. During the search of SANTILLI's residence, which took place when no one was present inside the residence, law enforcement recovered a loaded Glock, Model 22, .40 caliber pistol with no identifiable make, model, or serial number; associated .40 caliber ammunition; and a box for the lower receiver of the Glock pistol. Law enforcement also recovered a disassembled AR-15 assault rifle with no identifiable make, model, or serial number; a "Polymer80" jig kit and lower receiver for use in assembling an AR-15 assault rifle; and associated .223 caliber ammunition.

9. On or about November 30, 2017—after law enforcement confronted SANTILLI and informed him of the search warrant referenced above—SANTILLI agreed to cooperate with law enforcement in the hope of receiving consideration with respect to his unlawful possession of the firearms, firearm parts, and ammunition recovered from his residence. As part of his cooperation, SANTILLI introduced an undercover officer ("UC-1") to a narcotics supplier known to SANTILLI as "J" and later identified as DEMETRIUS WILSON. According to SANTILLI, WILSON had

sought to obtain firearms from SANTILLI multiple times in the past. WILSON, like SANTILLI, is a convicted felon.<sup>3</sup>

10. At approximately 7:20 pm, under the direction and control of law enforcement, SANTILLI called WILSON, using the telephone number (773) 993-6886 (“Subject Phone 1”).<sup>4</sup> The call was not consensually-recorded, but took place on speakerphone in the presence of law enforcement. During the call, SANTILLI said, “I need a whole one [gram] on the D [heroin].” WILSON responded, “Alright, come on.”

11. Before driving to WILSON’s residence, law enforcement searched SANTILLI for money and contraband with negative results. SANTILLI and UC-1 traveled to WILSON’s residence on the 1200 block of North Wolcott Avenue inside UC-1’s covert vehicle. While driving to WILSON’s residence, SANTILLI called WILSON, using Subject Phone 1. The call was not consensually-recorded, but took place on speakerphone in UC-1’s presence. During the call, SANTILLI advised

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<sup>3</sup> Specifically, according to law enforcement databases, WILSON has approximately two prior felony convictions: January 2016 convictions in the Circuit Court of Cook County, Illinois, for identify theft and a continuing financial crimes enterprise, for which WILSON received sentences of 24 months’ probation and 3 days’ imprisonment, respectively.

<sup>4</sup> The identification of WILSON and WILSON’s voice in this Affidavit is based, in part, on the following. After UC-1’s meeting with WILSON on or about December 12, 2017—described later in this Affidavit—UC-1 reviewed an array of six photos, including a known booking photograph of WILSON. Based on that comparison, UC-1 determined that the person in the booking photograph, WILSON, was the person who met with UC-1 on the dates and times listed in this Affidavit. UC-1 also compared the voice heard during UC-1’s calls to and from Subject Phone 1 on the dates and times listed in this Affidavit with the voice heard during UC-1’s in person meetings with WILSON and determined they were the same voice. In addition, during UC-1’s initial meeting with WILSON on or about November 30, 2017, WILSON stated that Subject Phone 1 was his telephone number.

WILSON that he had a friend (UC-1) with him. SANTILLI also asked WILSON for “four C [four grams of cocaine base]” and “the full D [the one gram of heroin that SANTILLI previously ordered].” WILSON agreed to that request.

12. At approximately 7:40 pm, UC-1 and SANTILLI arrived in the vicinity of WILSON’s residence. At approximately 7:42 pm, UC-1 and surveillance observed WILSON approach UC-1’s vehicle on foot and walk up to the front passenger’s side window. SANTILLI introduced UC-1 to WILSON, who provided his phone number (Subject Phone 1) to UC-1. UC-1 placed a test call to Subject Phone 1 while in the presence of WILSON, which caused the phone in WILSON’s hand to ring with an incoming call.

13. SANTILLI handed WILSON approximately \$140 in pre-recorded United States currency. In exchange, WILSON handed SANTILLI (i) one purple-tinted baggie (Inventory 14053481) containing a clear, knotted bag that contained approximately 0.9 grams of a chunky tan-colored substance that lab-tested positive for the presence of heroin, a Schedule I Controlled Substance; and (ii) four purple-tinted baggies (Inventory 14053485), one of which contained approximately 0.1 grams of a white chunky substance that lab-tested positive for the presence of cocaine, a



Schedule II Controlled Substance.<sup>5</sup> Shortly thereafter, UC-1 and SANTILLI departed the area.

**WILSON agrees to buy a firearm from the UC in exchange for heroin**

14. After SANTILLI introduced UC-1 to WILSON as described above, UC-1 made approximately four heroin buys from WILSON in December 2017. During those buys, some of which are described in greater detail below, WILSON agreed to purchase a firearm from UC-1 in exchange for heroin.

15. On or about December 6, 2017, at approximately 8:44 pm, UC-1 called WILSON, using Subject Phone 1. During the call, which was consensually-recorded, UC-1 asked, “You straight [UC-1 asked if WILSON had narcotics available for purchase]?” WILSON said yes. UC-1 said he/she needed “two whole [two grams] on the D [heroin].” WILSON clarified, “Two of em [two grams of heroin]?” UC-1 said, “Yes, sir.” WILSON asked, “How long before you get here?” UC-1 said he/she was close to WILSON’s residence on the 1200 block of North Wolcott Avenue. WILSON provided UC-1 with directions about where to go when he/she arrived.

16. At approximately 8:54 pm, UC-1 arrived on the 1200 block of North Wolcott Avenue, exited his/her vehicle on the street, and walked towards the multi-unit residential building located at 1219 North Wolcott Avenue. At

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<sup>5</sup> The remaining purple-tinted baggies logged under Inventory 14053485 contained approximately 0.4 grams of a white chunky substance that has not been lab-tested. However, based on my training and experience in narcotics investigations, my knowledge of this investigation, and the similarity in appearance between the 0.1 gram amount of white chunky substance received from WILSON that lab-tested positive for the presence of cocaine and the untested 0.4 gram amount of a similar looking substance, I believe that the untested 0.4 gram amount of that substance is also cocaine.

approximately 8:55 pm, UC-1 called WILSON, using Subject Phone 1. Per the directions WILSON provided during that call, UC-1 entered the door on the far north side of the building. Once UC-1 was inside the building, UC-1 observed WILSON walk down a flight of stairs and meet UC-1 in the hallway. According to UC-1 and the audio recording from the device UC-1 was wearing, WILSON handed UC-1 two purple-tinted baggies (Inventory 14057720) containing approximately 1.9 grams of a tan chunky substance that lab-tested positive for the presence of heroin. In return, UC-1 handed WILSON approximately \$200 in pre-recorded United States currency.

17. According to UC-1 and the audio recording, UC-1 said he/she was about to take a trip to Knoxville, Tennessee. WILSON asked if UC-1 could obtain a firearm for WILSON. UC-1 responded that he/she was planning to attend two gun shows in Tennessee. UC-1 also explained that he/she converted firearms into “ghost guns,” meaning a firearm constructed with a frame or receiver that does not bear a serial number, making the firearm difficult to trace to a specific manufacturer and/or place of origin. UC-1 asked if WILSON would be interested in purchasing a “ghost gun.” WILSON said yes, adding that he was looking for a “nine [9-milimeter handgun],” “forty [.40 caliber pistol],” or “four five [.45 caliber pistol].” UC-1 clarified, “Just a handgun?” WILSON said, “Yep.” UC-1 said he/she would contact WILSON after returning from the gun shows in Tennessee. Shortly thereafter, at approximately 8:56 pm, UC-1 exited the apartment building, entered his/her covert vehicle, and departed the area.

18. On or about December 12, 2017, at approximately 11:40 am, UC-1 returned a call from WILSON, using Subject Phone 1. During the call, which was consensually-recorded, WILSON said, "I was just, just checking on, see if you get back and see if was everything all good [WILSON wanted to know if UC-1 had obtained firearms in Tennessee that UC-1 could sell to WILSON]." UC-1 said, "Yeah, yeah, you know, everything went well." UC-1 said he/she about to leave Indianapolis and would be back in Chicago later that night. WILSON responded, "Whenever you come rotate with me or whatever [purchase narcotics], we'll just talk then." UC-1 and WILSON agreed to meet later that night.

19. At approximately 8:29 pm, UC-1 called WILSON, using Subject Phone 1. During the call, which was consensually-recorded, UC-1 and WILSON talked about their respective locations. WILSON said, "I got it [WILSON had narcotics in his possession]. What you, what you had need?" UC-1 responded, "Just a whole [one gram of heroin]." WILSON said, "Okay, I, yeah, I got, I had brought it out with me." UC-1 and WILSON agreed to meet near WILSON's present location in the vicinity of North Sacramento Avenue and West Fulton Street in Chicago.

20. At approximately 8:51 pm, UC-1 arrived on the 2900 block of West Fulton Street and observed WILSON standing by a Nissan automobile with the rear driver's side door open. Surveillance observed UC-1 pull up next to WILSON. According to UC-1 and the audio/video recording from the device UC-1 was wearing, WILSON reached into the back seat of the Nissan and removed an object from a clear plastic sandwich baggie. WILSON then approached the front passenger's side

window of UC-1's vehicle and handed UC-1 one purple-tinted baggie (Inventory 14061329) containing approximately 0.8 grams of a tan chunky substance that lab-tested positive for the presence of heroin. In return, UC-1 handed WILSON approximately \$100 in pre-recorded United States currency.

21. According to UC-1 and the audio/video recording, WILSON asked about the price of firearms that UC-1 could obtain for WILSON. UC-1 asked, "You like Glocks, right?" WILSON said, "Yeah." UC-1 asked, "What did you say—9 [millimeter], 40 [caliber], or 45 [caliber]?" WILSON said, "Yeah." UC-1 said he/she could obtain 9-milimeter or .40 caliber Glock firearms with "extendos [extended ammunition magazines]" for approximately \$500 or Beretta 9-milimeter handguns for approximately \$450. WILSON said, "We'll do the 450 [WILSON wanted to purchase a firearm priced at \$450]. When he [UC-1's firearms supplier] ready?" UC-1 responded that the firearm would be available on Monday or Tuesday, meaning on or about December 18 or 19, 2017. UC-1 added, "He might be cool with doing, you know, equivalent [exchanging a firearm in exchange for narcotics], you know what I mean?" WILSON acknowledged that he understood and said, "We'll work it out." Shortly thereafter, UC-1 departed the area.

22. On or about December 14, 2017, 6:15 pm, UC-1 called WILSON, using Subject Phone 1. During the call, which was consensually-recorded, UC-1 asked, "You straight [UC-1 was asking WILSON if he had narcotics available purchase]?" WILSON said, "Yeah, I'm good." UC-1 and WILSON agreed to meet at "Damen," meaning near WILSON's residence on the 1200 block of North Wolcott Avenue.

23. At approximately 7:00 pm, UC-1, accompanied by surveillance, arrived on the 1200 block of North Wolcott Avenue. UC-1, who had called WILSON while en route to the meeting location, observed WILSON standing on the sidewalk. UC-1 parked his/her vehicle next to WILSON and rolled down the front passenger's side window. According to UC-1 and the audio/video recording from the device UC-1 was wearing, WILSON said, "Here you go. I got it right here." WILSON handed UC-1 one purple-tinted baggie containing approximately 1.0 grams of a tan chunky substance that appeared to be heroin. UC-1 responded, "Oh, shit. I had two [grams of heroin]?" WILSON replied, "Oh, you want two? Let me run up here and get it." WILSON instructed UC-1 on where to park his/her vehicle.

24. A short time later, surveillance positioned inside the multi-unit residential building where UC-1 met WILSON on December 6 (as described above) observed WILSON enter Apartment 1B inside the building (the "Wolcott Avenue apartment"). Interior surveillance then exited the building. Moments later, exterior surveillance observed WILSON exit the building and walk back to UC-1's parked vehicle and lean in to the front passenger's side window.

25. According to UC-1 and the audio/video recording, WILSON said, "My fault, [UC-1]." UC-1 responded, "Hey, you wanna check out some pictures [of firearms]? Hop on in for a second." WILSON replied that he was in a hurry and clarified, "You said two [gram of heroin], right?" After UC-1 said yes, WILSON handed UC-1 two purple-tinted baggies containing approximately 1.8 grams of a tan

chunky substance that lab-tested positive for the presence of heroin. In return, UC-1 handed WILSON approximately \$200 in pre-recorded United States currency.

26. According to UC-1 and the audio/video recording, UC-1 and WILSON then discussed when UC-1 would be ready to sell a firearm to WILSON. UC-1 also showed WILSON several picture of firearms (depicted below) that UC-1 had stored on a covert phone provided by ATF agents.



Specifically, referring to the “450 ones [firearms priced at approximately \$450],” UC-1 pointed out “that chrome one [the stainless steel Beretta handgun],” “that black one right there [one of the blue steel Beretta handguns],” “or that black one right there [the other blue steel Beretta handgun].” UC-1 explained that all three of those firearms were 9-milimeter handguns. UC-1 said a Glock handgun would cost

approximately \$50 more, but suggested that UC-1's firearms supplier might be willing to negotiate the price down.

27. According to UC-1 and the audio/video recording, when asked whether he liked "the black" or "the chrome," WILSON said, "I like the chrome [stainless steel firearm]." UC-1 responded, "Like he said 450 [the firearm was priced at \$450], would like five pieces [five grams of heroin] be good for that? You could do that?" WILSON said, "Yeah, yeah, something like that." Shortly thereafter, surveillance observed WILSON walk away from UC-1's vehicle, which departed the area.

28. On or about December 17, 2018, at approximately 2:00 pm, UC-1 called WILSON, using Subject Phone 1. During the call, which was consensually-recorded, UC-1 said, "I talked to my dude and it's all good. So we're, we're set up [to exchange a firearm for heroin]." WILSON responded, "Okay." UC-1 and WILSON agreed to meet the next day. Towards the end of the call, WILSON clarified that he was not interested in the "silver one [a stainless steel firearm]." Specifically, WILSON said, "I want to go with something black."

29. On or about December 18, 2017, at approximately 10:20 am, UC-1 called WILSON, using Subject Phone 1. During the call, which was consensually-recorded, UC-1 said, "My guy [firearms supplier] said he's gonna be good to go at like lunchtime." WILSON responded, "Oh, okay." UC-1 said they needed to meet the firearms supplier at a tire shop located near the intersection of Ashland and Grand Avenues. WILSON said he was unable to leave home and asked to meet tomorrow. WILSON added, "Unless you can bring it [the firearm] and I just swap it out [for

heroin] like that?" UC-1 said he/she would check with the firearms supplier and call WILSON back.

30. At approximately 11:00 am, UC-1 called WILSON, using Subject Phone 1. During the call, which was consensually-recorded, UC-1 said the firearms supplier was ready to go ahead with the planned transaction. WILSON said, "I thought you was just gonna grab it [the firearm] and we was gonna swap, you know, money or whatever." UC-1 said he/she would check with the firearms supplier and call WILSON back. At approximately 12:29 pm, UC-1 called WILSON, using Subject Phone 1. During the call, which was consensually-recorded, UC-1 said, "It's all good, man. I'm gonna slide through [bring the firearm to WILSON's residence], alright?" WILSON responded, "Okay, okay, yeah, because I'm headed that way too."

31. At approximately 12:43 pm, accompanied by surveillance, UC-1 and a second undercover officer ("UC-2") posing as a firearms dealer arrived in the vicinity of the Wolcott Avenue apartment and parked on the street. UC-1 called WILSON, using Subject Phone 1. During the call, which was consensually-recorded, UC-1 said, "I'm out front." WILSON responded, "Okay, here I come."

32. At approximately 12:45 pm, UC-1, UC-2, and surveillance observed WILSON approaching the undercover vehicle. UC-1 exited the front passenger seat of the vehicle and greeted WILSON. UC-1 then entered the rear passenger's seat of the undercover vehicle and directed WILSON to sit in the front passenger seat.

33. According to UC-1, UC-2, and the audio recording the device UC-1 was wearing, UC-2 opened a toolbox and displayed the following firearms to WILSON: a



Beretta, model 92FS, 9-milimeter semi-automatic pistol and three different Glock .40 caliber semi-automatic pistols. WILSON examined the firearms and asked about prices. UC-1 responded, "They're all \$450." WILSON touched the Glock .40 caliber pistol bearing serial number AXH376 (depicted below) and said, "I'm gonna take this one right here."



UC-2 asked WILSON if he was interested in the Beretta firearm. WILSON responded, "No, I want that one," pointing to the Glock pistol referenced above. WILSON told UC-2, "Let me holler at him real quick," referring to UC-1.

34. At approximately 12:47 pm, UC-1 and WILSON exited the covert vehicle. According to UC-1 and the audio/video recording, WILSON said he was going to retrieve heroin to trade for the Glock pistol he had just selected. WILSON further stated that when he returned with the heroin, UC-1 should bring the Glock pistol to the front door of WILSON's apartment building. Shortly thereafter, UC-1 and UC-2 observed WILSON enter the apartment building.

35. At approximately 12:54 pm, UC-1 called WILSON, using Subject Phone 1. According to UC-1 and the audio/video recording, WILSON said, “I just called you. Come on, come over here [WILSON was telling UC-1 to bring the Glock pistol to the front door of WILSON’s apartment building]. UC-1 responded, “Meet me right up on the sidewalk. I’ll pull up in the front.” WILSON said, “You say what?” UC-1 repeated, “I’ll be right out on the sidewalk with it. I got it [the firearm] in this big ass box.” WILSON replied, “Okay, come in the hallway.” UC-1 said, “[UC-2] don’t wanna let me out of sight with this thing [the firearm]. I got it in this big ass box.” UC-2 added, “And it’s my money, man.” UC-1 said, “I’ll be right on the sidewalk. I’ll walk out the car with it.” UC-1 added, “We’re double parked in front right now.”

36. At approximately 12:55 pm, UC-1 and UC-2 observed WILSON standing in the vestibule of the Wolcott Avenue apartment building. Due to public safety concerns, UC-1 would not agree to WILSON’s request to conduct the firearm-for-heroin transaction inside the apartment building. As a result, the transaction did not take place. At approximately 1:11 pm, UC-1 and UC-2 departed the area in their covert vehicle.

**SANTILLI sells a firearm to WILSON in exchange for heroin**

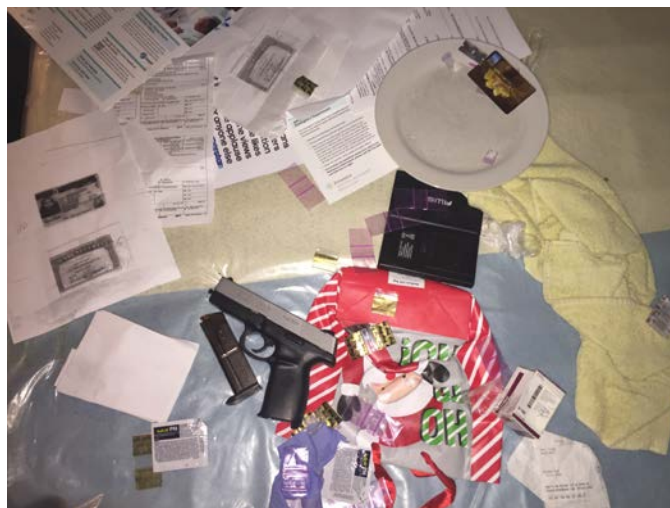
37. As described in greater detail below, approximately three months later in March 2018, agents learned that SANTILLI—without the knowledge or approval of law enforcement—had sold a 9-milimeter handgun to WILSON in approximately December 2017 in exchange for heroin.

38. On or about February 26, 2018, Judge Mauricio Araujo of the Circuit Court of Cook County, Illinois, issued a warrant authorizing law enforcement to search the Wolcott Avenue apartment. As described in the affidavit supporting issuance of that search warrant, in addition to the controlled buys of heroin described above, UC-1 purchased various narcotics (including cocaine, heroin, and tramadol) from WILSON on approximately four occasions in January and February 2018. During the final buy described in the affidavit, on or about February 23, 2018, UC-1 observed WILSON exit the Wolcott Avenue apartment before handing UC-1 four purple-tinted baggies (Inventory 14111094) containing approximately 3.6 grams of a tan chunky substance that lab-tested positive for the presence of heroin in exchange for approximately \$400 in pre-recorded United States currency.

39. On or about March 1, 2018, at approximately 11:33 am, law enforcement executed the search warrant referenced above. Upon entering the Wolcott Avenue apartment, which contained three bedrooms, agents encountered WILSON walking out of the middle bedroom. Agents advised WILSON that a search warrant had been issued for the Wolcott Avenue apartment and temporarily detained him during the search.

40. During a search of the middle bedroom that WILSON was exiting when law enforcement entered the Wolcott Avenue apartment, agents recovered a loaded Smith & Wesson, model SW9V, 9 millimeter handgun, bearing serial number

PAY3009 (the “Smith & Wesson handgun”),<sup>6</sup> in the condition depicted below from underneath a mattress:



41. In addition to the Smith & Wesson handgun, agents recovered several controlled substances from the middle bedroom at the Wolcott Avenue apartment, including:

- a. one knotted, clear plastic baggie containing approximately 3.84 grams of a light brown chunky substance that lab-tested positive for the presence of heroin and cocaine;
- b. two purple-tinted Ziploc baggies containing approximately 0.13 and 1.19 grams of a chunky substance that lab-tested positive for the presence of cocaine; and
- c. one prescription box containing approximately 1.7 grams of a chunky substance that lab-tested positive for the presence of Tradamol, a Schedule IV

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<sup>6</sup> The Smith & Wesson handgun is in the process of being examined for DNA and latent fingerprints.

Controlled Substance, and approximately 0.2 grams of loose chunky substance that has not been lab tested.

42. In addition to the narcotics listed above, agents recovered from the middle bedroom at the Wolcott Avenue apartment approximately \$2,453 in apparent narcotics proceeds<sup>7</sup> and narcotics distribution supplies, including a scale and mixing equipment such as plastic baggies, a plate with white residue, and a razor blade.

43. Finally, agents recovered from the middle bedroom at the Wolcott Avenue apartment multiple documents indicating that WILSON lived there, including a resume listing WILSON's name and the Wolcott Avenue apartment at the top and an IRS Form W-2 for the year 2017 issued to WILSON at the Wolcott Avenue apartment.

44. After the items listed above were recovered from the middle bedroom at the Wolcott Avenue apartment, agents placed WILSON in custody and advised him of his *Miranda* rights. WILSON verbally waived those rights. When asked which bedroom was his, WILSON responded, "The one that the gun was in." WILSON further stated that nobody else used that bedroom. When asked where he had obtained the Smith & Wesson handgun, WILSON said he received it from "an Army guy who goes by the name of Drew." Based on my training and experience, context, and my knowledge of the investigation—including the fact that SANTILLI has served

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<sup>7</sup> Specifically, agents recovered approximately \$1,107 in apparent narcotics proceeds from an empty bottle of Remy Martin cognac and approximately \$1,346 in apparent narcotics proceeds from a dresser drawer.

in the military and his first name is Andrew—I believe SANTILLI is the person whom WILSON referred to as “Drew.”

45. WILSON provided agents with written consent to search his cell phone, which was assigned the telephone number corresponding to Subject Phone 1. WILSON’s phone contained a contact saved under the name “Drew Trap Phone” and the telephone number 312-632-9150 (“Subject Phone 2”). During a voluntary interview in approximately March 2018, described in greater detail below, SANTILLI acknowledged that Subject Phone 2 was a “burner phone” he used when building firearms.

46. In searching WILSON’s phone, law enforcement recovered the following text message chain between WILSON, using Subject Phone 1, and SANTILLI, using Subject Phone 2, on or about December 24, 2017 between approximately 9:07 pm and 10:13 pm:

SANTILLI:	Hey I got something u been looking for too! I just didn’t know if you want it right now. It’s a good one
WILSON:	What u talking. Bout
SANTILLI:	Clapper
SANTILLI:	Nina [the 9-millimeter firearm that SANTILLI was offering to WILSON in exchange for narcotics]
SANTILLI:	Wanna trade [SANTILLI was proposing to give WILSON the firearm referenced above in exchange for narcotics]?
SANTILLI:	Got it yesterday
WILSON:	O ok whats da price on that
SANTILLI:	4 [hundred dollars]

SANTILLI: U want me to bring it?

WILSON: Yeah but im bout to holla at my guy

SANTILLI: When can I come through? I'm supposed to go to a party

SANTILLI: Just look out for me tonight, it's Xmas. Lol. Or I can give u Xanax

WILSON: Let me hold it down until tomorrow. Lol cause im go have to pay for this gram im go let u no y

SANTILLI: Hold what?

SANTILLI: The nina [the 9 millimeter firearm that SANTILLI was offering to hold for WILSON in exchange for narcotics]?

WILSON: Yeah just until tomorrow its [sic] in good hands

SANTILLI: Aight. I'm trusing u.

SANTILLI: I'm omw [on my way]

SANTILLI: If u can get 1.5 [grams] since ur gonna hold it, that's b cool

WILSON: Ok on my dead brother its [sic] not go leave this house

WILSON: Ok thats go b a gram and a half [of narcotics]

SANTILLI: Yep. Cool

SANTILLI: Like 7 minutes away

WILSON: Ok im just pulling up

SANTILLI: Ok

SANTILLI: I'm here. Come out

WILSON: Come to fa door

SANTILLI: Bro come to da car. It's in a bag [SANTILLI reassured WILSON that the firearm could be carried discreetly because it was inside a bag].

SANTILLI: Cause I wanna show u something about it

SANTILLI: Unless I can come in ur place?

47. In searching WILSON's phone pursuant to consent, law enforcement located additional text messages between WILSON, using Subject Phone 1, and the telephone number (708) 603-7518 ("Subject Phone 3"), used by SANTILLI.<sup>8</sup> For example, on or about January 10 and 11, 2018, WILSON, using Subject Phone 1, and SANTILLI, using Subject Phone 3, exchanged the following text messages

SANTILLI: Bro this is Dru [SANTILLI]! I'm close and I'm trying to come though [to purchase narcotics from WILSON], call me

SANTILLI: ASAP! I got a new number

WILSON: Yo wtf [what the fuck] bro?!?

SANTILLI: Yo it's Drew [SANTILLI]! I'm trying to buy 2 g's [two grams of narcotics]!!! Answer!!!

WILSON: Let me get a square too Bro [WILSON needed to obtain narcotics before he could sell them to SANTILLI]

48. On or about January 23, 2018, WILSON, using Subject Phone 1, and SANTILLI, using Subject Phone 3, exchanged the following text messages, apparently pertaining to the Smith & Wesson handgun that SANTILLI sold to WILSON in exchange for heroin on or about December 24, 2017 (as described above):

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<sup>8</sup> In approximately January 2018, SANTILLI informed law enforcement that Subject Phone 3 was his new phone number. Thereafter, Subject Phone 3 was the only telephone number that law enforcement used to contact SANTILLI between approximately January and March 2018. Law enforcement has requested subscriber information for Subject Phone 3.



SANTILLI: Let me ask you something about it, and I need you to be honest to fix it. When you cock it, and then pull the trigger, is there no click? Like it is not cocking?

WILSON: Nope its [sic] been like that since u gave it to me

49. On or about January 24, 2018, WILSON, using Subject Phone 1, and SANTILLI, using Subject Phone 3, exchanged additional text messages pertaining to the Smith & Wesson handgun that SANTILLI sold to WILSON in exchange for heroin on or about December 24, 2017 (as described above):

SANTILLI: Bro I'm trying to fix that thing for you [the Smith & Wesson handgun], call me ASAP! I have to ask you a question because I can possibly get the parts here today and if you hours [UI]. But you Gotta call me ASAP

SANTILLI: Hey I had to run some errands, are you going to be around this afternoon? I can grab it done, and it will not take me long to fix

SANTILLI: \*grab it then [correcting the typo in his previous text message]

SANTILLI: I will you back in two minutes

WILSON: What time wsa u go try to come pick that [the Smith & Wesson handgun] up

SANTILLI: Bout 5:30

SANTILLI: Cool?

SANTILLI: Bro bag them in two halves

WILSON: Ok bro u got da 40 [approximately \$40 that SANTILLI owed WILSON from a prior narcotics transaction]

SANTILLI: No but after I dump this G [after SANTILLI dropped off heroin at his residence], I will be back later tonight and I will have it [the \$40 that SANTILLI owed WILSON]. Or, I can just get all the parts I need to fix that thing [the Smith

& Wesson handgun] and we can call it even [SANTILLI was offering to pay for the parts needed to repair the Smith & Wesson handgun rather than pay WILSON for SANTILLI's narcotics debt]? It's up to you.

I am getting rid of one of these have [sic], for \$100 to someone out in the burbs [SANTILLI had arranged to sell some of the narcotics he was purchasing from WILSON to someone located in the Chicago suburbs]

WILSON: Just meet me at da house

50. On or about January 29, 2018, WILSON, using Subject Phone 1, and SANTILLI, using Subject Phone 3, exchanged additional text messages apparently pertaining to the Smith & Wesson handgun that SANTILLI sold to WILSON in exchange for heroin on or about December 24, 2017 (as described above):

WILSON: Bro why would u sell me a broke gun i just dont understand u some times but we pose to be cool that aint right

WILSON: But anyway u good u out fa [sic] hospital

SANTILLI: I'm still in hospital. R u good

WILSON: Yeah

SANTILLI: Ok, hold on.


SANTILLI: I'm waiting for my cAsh do get here

SANTILLI: \*to

SANTILLI: To can u bring me up a half [gram of narcotics], and u can hold my tablet until tomorrow, and I'll buy the part to fix the gun. I'm in so much pain. I don't care if t's a .25 g [one-fourth of a gram of narcotics], just help me out bro! I'm in soooooo much pain. On my daughter u will make out better than me in this deal. If we r cool, u gotta help a brotha out

After WILSON did not respond to the text messages quoted above, SANTILI wrote: “I’ll send new business ur way. I’m asking for \$25 worth [of narcotics] until tomorrow! Now ur gonna blow me off, and want me to fix ur shit [the Smith & Wesson handgun]?”

51. On or about February 1 and 2, 2018, WILSON, using Subject Phone 1, and SANTILLI, using Subject Phone 3, exchanged additional text messages apparently pertaining to the Smith & Wesson handgun that SANTILLI sold to WILSON in exchange for heroin on or about December 24, 2017 (as described above):

WILSON: Call me i need 2 ask u something about da  [picture of a firearm]

SANTILLI: I will call u back in a few

WILSON: Ok

SANTILLI: I’m going to b coming through soon

WILSON: What u need and bro I gotta put that money u owe back to da count

SANTILLI: Probably 2g [SANTILLI wanted to purchase 2 grams of narcotics from WILSON]

SANTILLI: I got a new burner phone because I’m getting back into the game of building weapons.

52. On or about March 7, 2018, during a voluntary interview with law enforcement, SANTILLI admitted that he traded the Smith & Wesson handgun to WILSON in exchange for approximately 3.5 grams or \$350 worth of heroin. Specifically, SANTILLI stated that he received the Smith & Wesson handgun from an narcotics dealer located in Broadview, Illinois, who wanted SANTILLI to fix the

firearm because it was broken. SANTILLI stated that approximately two or three days later, he gave the Smith & Wesson firearm to WILSON in exchange for approximately 3.5 grams or \$350 worth of heroin. SANTILLI also acknowledged that Subject Phone 2 (saved as “Drew Trap Phone” in WILSON’s phone) was a “burner phone” that SANTILLI used when he was building firearms.

53. During a voluntary interview on or about June 7, 2018, SANTILLI clarified that he initially received approximately one gram (or \$100 worth) of heroin from WILSON on the night he gave the Smith & Wesson handgun to WILSON. SANTILLI testified that his original plan was to allow WILSON to hold the Smith & Wesson handgun as collateral until SANTILLI could afford to pay WILSON approximately \$100 for the one gram of heroin previously received. SANTILLI further testified that a few days after delivering the Smith & Wesson handgun to WILSON in exchange for one gram of heroin, WILSON said he wanted to keep the firearm. In exchange for allowing WILSON to keep the Smith & Wesson handgun, SANTILLI testified that he received an additional 2.5 grams of heroin from WILSON. SANTILLI acknowledged that it was illegal for him to possess the Smith & Wesson handgun because of his criminal record. SANTILLI further testified that he believed WILSON was a convicted felon and a heroin dealer who could not lawfully possess the Smith & Wesson handgun.

54. According to an ATF agent with specialized training and expertise in the identification, origin, and classification of firearms and ammunition, the Smith & Wesson firearm recovered from WILSON’s apartment was manufactured outside

the State of Illinois. In addition, on or about March 6, 2018, CPD successfully test fired the Smith & Wesson handgun to confirm that it will, is designed to, and/or may readily be converted to expel a projectile by the action of an explosive.<sup>9</sup>

### **Conclusion**

55. Based on the facts set forth above, there is probable cause to believe that on or about December 24, 2017:

a. SANTILLI knowingly and intentionally possessed, in and affecting interstate commerce, a firearm, namely, a Smith & Wesson, model SW9V, 9-millimeter handgun, bearing serial number PAY3009, after previously having been convicted of a term of imprisonment exceeding one year, in violation of Title 18, United States Code, Section 922(g)(1); and

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<sup>9</sup> As recovered from WILSON's residence, the Smith & Wesson handgun was inoperable because the firing pin/recoil spring assembly were apparently designed for use with a Glock firearm. For purposes of test firing, CPD used a forensic reference firing pin designed for use with the Smith & Wesson handgun. After placing the correct firing pin in the Smith & Wesson handgun, the CPD Firearms Laboratory was able to successfully test fire the handgun.

b. WILSON knowingly and intentionally used or carried a firearm, namely a Smith & Wesson, model SW9V, 9-millimeter handgun, bearing serial number PAY3009, during and in relation to, and in furtherance of, a drug trafficking crime for which he could be prosecuted in a court of the United States, namely, distribution of a controlled substance, in violation of Title 21 United States Code Section 841(a)(1), in violation of Title 18, United States Code, Section 924(c)(1)(A).

FURTHER AFFIANT SAYETH NOT.

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PAUL DAOU  
Special Agent, Bureau of Alcohol, Tobacco,  
Firearms & Explosives

SUBSCRIBED AND SWORN to before me on June 11, 2018.

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DANIEL G. MARTIN  
United States Magistrate Judge