

FILED
5/25/2021
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

CELESTINO BARAHONA-SERRANO, a/k/a "Pancho" and
"Chapin"; and
RICHARD C. RINCON**21 CR 333**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.

On or about October 14, 2020, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere, defendants CELESTINO BARAHONA-SERRANO and RICHARD C. RINCON violated:

*Code Section*Title 21, United States Code, Sections
841, 846*Offense Description*

Did attempt to knowingly and intentionally possess with intent to distribute a controlled substance, namely, 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance.

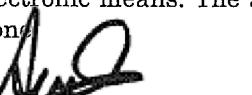
This criminal complaint is based upon these facts:

X Continued on the attached sheet.



DANIEL NAGY, Special Agent, Homeland Security Investigations (HSI)

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 foregoing by telephone.

Date: May 25, 2021
Judge's signatureCity and state: Chicago, IllinoisSUSAN E. COX, U.S. Magistrate Judge

Printed name and Title

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

|
Ss

AFFIDAVIT

I, DANIEL NAGY, being duly sworn, state as follows:

1. I am a Special Agent with Homeland Security Investigations (HSI). I have been so employed since approximately February 2006. As part of my duties as a HSI Special Agent, I investigate criminal violations relating to narcotics trafficking offenses, including criminal violations of the Federal Controlled Substance laws, including, but not limited to Title 18, United States Code, Sections 1956, and 1957, and Title 21, United States Code, Sections 841, 843, 846, 848, 952 and 963. I have been involved with various electronic surveillance methods, the debriefing of defendants, informants, and witnesses, as well as others who have knowledge of the distribution, transportation, storage and importation of controlled substances.

2. This affidavit is submitted in support of a criminal complaint alleging that CELESTINO BARAHONA-SERRANO ("BARAHONA") and RICHARD C. RINCON ("RINCON") have violated Title 21, United States Code, Sections 841 and 846. Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging BARAHONA and RINCON with attempting to possess with intent to distribute 500 grams or more of cocaine, 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 offense alleged in the complaint.

3. This affidavit is based on my personal knowledge, information provided to me by other law enforcement officers ("LEOs"), information provided by a cooperating defendant ("CD3"),¹ review of consensually recorded conversations,² my

¹ CD3 began cooperating in this investigation in late August 2020, subsequent to an arrest for violations of the Immigration Nationality Act. CD3 has consented, in writing, to the interception and recording of all calls made to and from CD3's phone. Additionally, CD3 has provided LEOs with background and intelligence information relative to this investigation. LEOs have independently corroborated this information through the review of court-authorized interception of wire and electronic communications, physical surveillance, and information received from other confidential sources. Based on law enforcement's review of CD3's consensually recorded phone calls and surveillance, CD3 has proven reliable and truthful. CD3 has felony convictions for possession of cocaine and aggravated fleeing and eluding from a police officer. CD3 has not been paid for his/her cooperation, and no promises have been made regarding any potential benefit CD3 may receive for CD3's cooperation. CD3 is cooperating in the hope of obtaining some benefit from the government in connection with potential federal criminal charges that CD3 is facing and also in the hope of obtaining some benefit from the government in connection with CD3's immigration status.

² On or about August 20, 2020, CD3 provided LEOs with written consent to record all calls and text messages made to and from CD3's cellular telephone. On or about August 21, 2020, Chief Judge Rebecca R. Pallmeyer issued an order authorizing the interception of wire communications to and from CD3's phone for a period of 30 days. On or about September 18, 2020, October 15, 2020, and November 12, 2020, Chief Judge Rebecca R. Pallmeyer issued orders re-authorizing the interception of wire communications to and from CD3's phone, for 30 days each, based on CD3's written consent. As a result, LEOs intercepted communications over CD3's phone from on or about August 23, 2020, through December 11, 2020. The transcripts of the intercepted conversations described in this Affidavit remain in draft form; to the extent quotations from the conversations are included, they are preliminary, not final. The summaries of recorded conversations in this affidavit do not include reference to all the topics covered during the conversations. In certain instances, I will offer my interpretations of certain recorded conversations in brackets and otherwise. My understanding of these conversations is aided by the contents and context of the conversations, my familiarity with the facts and circumstances of the investigation, my experience as a law enforcement agent, my discussions with other law enforcement agents and officers, the experience of other law enforcement agents and officers in this investigation, and other evidence developed during the course of the investigation. Some of the recorded conversations were in the Spanish language, including those between CD3 and BARAHONA-SERRANO. For these conversations, I have relied on draft English translations of the conversations made by Spanish-speaking officers. The times listed for the recorded conversations are approximate.

training and experience, and the training and experience of other law enforcement officers.

FACTS SUPPORTING PROBABLE CAUSE

4. During this investigation, based on court-authorized interception of wire and electronic communications, physical and electronic surveillance, and interviews with CD3, LEOs learned that BARAHONA has previously purchased kilogram quantities of narcotics from CD3.

5. As further described below, CD3 attempted to set up a sale of several kilograms of cocaine to BARAHONA and RINCON over the course of several months. CD3 did this by communicating with BARAHONA, who brought his customer RINCON to the attempted transactions. CD3 also brought undercover law enforcement officers to the meetings and represented that they were his suppliers. Ultimately, after a failed attempt on August 28, 2020, RINCON again did not go through with the transaction on October 14, 2020, because he was not convinced of the cocaine's quality.

A. On or about August 28, 2020, BARAHONA and RINCON Meet CD3 to Purchase a Kilogram of Cocaine, But Canceled the Transaction

6. On or about August 28, 2020, at approximately 9:14 a.m. (call session #62), CD3 had a consensually-recorded conversation with BARAHONA, who was using telephone number (773) 219-2848 (Barahona Phone 1).³ During the

³ LEOs believe BARAHONA is the user of (773) 219-2848 (BARAHONA Phone 1) based on the following: On or about August 25, 2020, LEOs met with CD3 and showed CD3 an Illinois driver's license photo of BARAHONA. CD3 identified the individual in the photograph as

conversation, BARAHONA asked, "What do you say? How are you?" CD3 replied, "Right here, fine. And you? So, it's [cocaine] going to be by pieces?" BARAHONA replied, "However you want. If you have a whole one [unbroken kilogram quantity of cocaine] I can make it disappear." CD3 replied, "Okay, uh, alright then. I'll let you know right now." BARAHONA asked, "Do you want me to start making calls or should I wait?" CD3 asked, "You don't have the ticket [money to buy the cocaine]?" BARAHONA replied, "That's what I'm telling you." CD3 stated, "What I'm asking, can you put together...No, I was thinking you were asking to put it [the money] all together for one [kilogram of cocaine]." BARAHONA stated, "That's what I'm saying, one full one [kilogram of cocaine]." CD3 replied, "Oh alright then, I'll let you know." BARAHONA stated, "Give me the number [price of a kilogram of cocaine]." CD3 replied, "Alright then." BARAHONA stated, "Send me the address [price of the narcotics] so I can talk to..." CD3 replied, "Alright, bye." Based on my knowledge of the investigation, my training and experience, and information provided by CD3, I believe that during the above conversation, BARAHONA and CD3 discussed having CD3 sell a kilogram of cocaine to BARAHONA.

"Pancho," and the user of telephone number (773) 219-2848. According to CD3, he/she has known Pancho for about a year and a half to two years and knows Pancho to be a mechanic who works at a garage in the Back of the Yards neighborhood in Chicago in an alley near 45th Street and Ashland. CD3 also knows Pancho by the nickname of "Chapin" and is familiar with Pancho's voice. CD3 has reviewed the recorded conversations made over the Barahona Phone and confirmed that the voice on the recordings belongs to BARAHONA. Similarly, law enforcement, including the UCs who met with BARAHONA on October 14, 2020, have reviewed the recorded calls and confirm the voice on the recordings belongs to BARAHONA.

7. At approximately 9:38 a.m. (call session #64), CD3 received a text message from BARAHONA, who was using Barahona Phone 1. During the conversation, BARAHONA texted, "What's the address [price of the narcotics]?"

8. At approximately 9:39 a.m. (call session #66), CD3 sent a text message to BARAHONA, who was using Barahona Phone 1. During the conversation, CD3 texted, "They [CD3's fictitious supplier] haven't answered me I'll let you know at 1".

9. At approximately 12:21 p.m. (call session #76), CD3 had a consensually-recorded conversation with BARAHONA, who was using Barahona Phone 1. During the call, CD3 stated, "Uh, he [CD3's fictitious supplier] said he would call me back later but it's [the price of the cocaine] gonna be around I think like 39 [\$39,000]." BARAHONA asked, "39?" CD3 replied, "Yup." BARAHONA replied, "Uhh..." CD3 stated, "I don't know about the numbers right now, I have no idea. What are you thinking?" BARAHONA replied, "That's uh, that's what it is on the street." CD3 asked, "Ok, I don't know, so what number [price] do you think so I can tell him because he might be able to do a better number, but I don't know. You think 38 [\$38,000] or 37 [\$37,000]?" BARAHONA replied, "37 so we can do something, so we can take it whole, because if he lets you borrow it, we can do it, but if he wants to get rid of it fast then you understand?" CD3 asked, "Okay, so for it to go [sell] fast, then 37?" BARAHONA replied, "Yeah and if not, a couple days to take it [cocaine] out in little pieces." CD3 asked, "Oh ok, 37 would be cash, right?" BARAHONA replied, "Yes." CD3 stated, "Okay, it's done." Later in the conversation, BARAHONA stated, "If he can let you borrow it, then we could do what he asked you." CD3 asked, "If he

borrows, okay. Is this to break it, no?" BARAHONA replied, "Huh? Yes, to break it up." CD3 asked, "No, but if he gives it to me in 37 are you gonna break it, too? Or you're gonna pay it?" BARAHONA replied, "I'll take it whole." CD3 stated, "Oh, you'll pay that cash? Okay then. Okay, bye bro." BARAHONA replied, "Okay." Based on my knowledge of the investigation, my training and experience, and information provided by CD3, I believe that BARAHONA and CD3 were negotiating the price for a kilogram of cocaine. Further, I believe BARAHONA asked CD3 whether CD3's supplier would be willing to front the kilogram of cocaine to BARAHONA for "a couple of days," meaning provide BARAHONA with the kilogram of cocaine on credit and wait for BARAHONA to sell it to others before requiring BARAHONA to pay CD3's supplier.

10. Between approximately 12:35 p.m. and 1:43 p.m. (call sessions #82, 84, and 93), CD3 exchanged several text messages with BARAHONA, who was using Barahona Phone 1. During the conversation, BARAHONA texted, "Okay what time?" CD3 texted, "You tell me." CD3 texted, "Call me."

11. At approximately 1:44 p.m. (call session #95), CD3 had a consensually-recorded conversation with BARAHONA, who was using Barahona Phone 1. During the call, BARAHONA asked, "Ah, for that or with him [BARAHONA's narcotics customer]?" CD3 asked, "Well, who is this guy [BARAHONA's narcotics customer]?" BARAHONA replied, "He's my friend from the [Back of the Yards] neighborhood." CD3 asked, "Is he a Saint [Latin Saint street gang member] from over there?"

BARAHONA replied, "Yeah, but I've known him [RINCON]⁴ for twenty years." Later in the conversation, CD3 asked, "Should I wait for you to call me to confirm?" BARAHONA replied, "Yes, if you want, but I have this one [customer – RINCON] and I have the black guy [a second narcotics customer]." CD3 asked, "Oh, he is also there still?" BARAHONA replied, "Yes, he is still there." CD3 asked, "And what does he tell you?" BARAHONA replied, "He was waiting." Based on my knowledge of the investigation, my training and experience, and information provided by CD3, I believe BARAHONA told CD3 that he had a customer, later identified as RINCON ready to purchase a kilogram of cocaine from CD3, and an additional customer if needed.

12. At approximately 3:20 p.m. (call session #102), CD3 had a consensually-recorded conversation with BARAHONA, who was using Barahona Phone 1. During the call, CD3 asked, "Okay, do you want to talk?" BARAHONA asked, "How?" CD3 replied, "Because, because, the tools [cocaine] are not here." BARAHONA asked, "No then (unintelligible) time?" CD3 replied, "Oh fuck, let me call this guy [CD3's fictitious cocaine supplier]. I was waiting for you to confirm, man." BARAHONA replied, "Oh yes, he [RINCON] is coming. He is passing for me right now in about twenty minutes he said." CD3 asked, "In twenty minutes. Is he coming in your car?" BARAHONA replied, "In his car." CD3 stated, "In his car? Okay then. Let me call

⁴ As discussed in greater detail below, law enforcement later learned that RINCON was BARAHONA's narcotics customer. LEOs identified RINCON on or about September 1, 2020, during a traffic stop in which RINCON produced his State of Illinois driver's license, which identified him as "RICHARD C. RINCON."

this guy [CD3's fictitious cocaine supplier] and see in how much time he will be here." BARAHONA-SERRANO stated, "Hopefully it [the kilo of cocaine] looks good." Based on my knowledge of the investigation, my training and experience, and information provided by CD3, I believe BARAHONA told CD3 that RINCON was picking up BARAHONA in 20 minutes and that they would be ready to conduct the narcotics transaction.

13. At approximately 3:55 p.m., LEOs met with CD3 at a predetermined location. LEOs searched CD3 and CD3's vehicle for contraband and excessive amounts of money, with negative results.⁵ CD3 was then provided with a black backpack containing a "sham" kilogram of cocaine. Following an exchange of text messages, CD3 and BARAHONA agreed to meet at the Planet Fitness near 62nd Street and Western Avenue in Chicago.

14. At approximately 4:12 p.m., CD3 arrived and parked in the parking lot located at 6101 S. Western Avenue in Chicago, having traveled under constant surveillance.

15. At approximately 4:13 p.m. (call session #122), CD3 received a text message from BARAHONA, who was using Barahona Phone 1. During the conversation, BARAHONA texted, "It's going to be 42 [\$42,000]." Based on my knowledge of the investigation, my training and experience, and information

⁵ LEOs had intended to equip CD3 with an audio/video recording device; however, this equipment was mistakenly left behind at the law enforcement staging area. When LEOs realized this, CD3 and LEOs were unable to turn back and retrieve the equipment without potentially raising the suspicion of BARAHONA and RINCON.

provided by CD3, I believe BARAHONA notified CD3 that BARAHONA intended to charge RINCON \$42,000 for the kilogram of cocaine, which included a \$4,000 commission for BARAHONA.

16. At approximately 4:14 p.m., using a City of Chicago Police Observation Device (“POD camera”), LEOs observed a 2007 black Jeep Cherokee, bearing Illinois license plate BW39817,⁶ enter the parking lot at 6101 S. Western Avenue and park near CD3’s vehicle.

17. At approximately the same time, 4:14 p.m. (call session #124), CD3 sent a text message to BARAHONA, who was using Barahona Phone 1. During the conversation, CD3 texted, “Here take it [narcotics]”.

18. Moments later, using a POD camera, LEOs observed CD3 exit CD3’s vehicle, walk over to the Jeep Cherokee, and enter the backseat of the Jeep. According to CD3, RINCON was seated in the driver’s seat and BARAHONA was seated in the front passenger seat of the Jeep Cherokee. CD3 observed RINCON cut into the kilogram of sham cocaine to test the quality of the cocaine and did not like the sham cocaine. More specifically, according to CD3, when RINCON sampled the narcotics RINCON related that he did not like it and that he thought that the sham cocaine tasted like gum.

19. About a minute later, using a POD camera, LEOs observed CD3 exit the Jeep carrying the black backpack and return to CD3’s vehicle. CD3 placed a phone

⁶ According to the Illinois Secretary of State databases, the black Jeep Cherokee is registered to Individual A at an address in Oak Lawn, IL 60453.

call to notify LEOs of what happened inside the Jeep. LEOs directed CD3 to return to the Jeep Cherokee and to continue the negotiation for the kilo of sham cocaine.

20. At approximately 4:17 p.m., using a POD camera, LEOs observed CD3 return to the Jeep carrying the black backpack and enter the backseat of the vehicle. According to CD3, while inside the vehicle, BARAHONA and RINCON requested that CD3 exchange the cocaine kilo for a different kilo of higher quality cocaine. CD3 told BARAHONA and RINCON that CD3 would attempt to contact CD3's "supplier."

21. At approximately 4:19 p.m., using a POD camera, LEOs observed CD3 exit the Jeep carrying the black backpack and return to CD3's vehicle. CD3 placed another phone call to LEOs. Because LEOs did not have access to a real kilo of cocaine that day, LEOs directed CD3 to depart the area and to later contact BARAHONA (as discussed in greater detail in paragraph 23) and tell BARAHONA that CD3's supplier was willing to exchange the kilo for a different kilo, but that the exchange could not happen that afternoon.

22. At approximately 4:27 p.m., using a POD camera, LEOs observed both the black Jeep Cherokee and CD3's vehicle depart the parking lot. LEOs followed CD3 to a predetermined location where LEOs met with CD3 and recovered the black backpack containing the sham kilogram of cocaine. LEOs searched CD3 and CD3's vehicle for contraband and excessive amounts of money, with negative results. During a debrief of CD3, CD3 stated that BARAHONA's customer [RINCON] sampled the narcotics and did not like it and that RINCON and BARAHONA thought that the sham cocaine tasted like gum. CD3 further stated that BARAHONA was charging

RINCON approximately \$42,000 for the kilogram of cocaine.⁷ According to CD3, because CD3 was aware that BARAHONA was charging RINCON a \$5,000 markup for the kilo, CD3 knew not to discuss the price of the kilo in front of RINCON. CD3 further related that this was the first time that CD3 had met RINCON.

23. At approximately 4:40 p.m. (call session #138), CD3 had a consensually-recorded conversation with BARAHONA, who was using Barahona Phone 1. During the call, CD3 stated, "Tell your friend [RINCON] that I'm sorry because I didn't see it [the kilo of cocaine] because I'm in a rush. You know how I am, man. So, so..." BARAHONA replied, "That stuff [the sham cocaine] was candy." CD3 stated, "Fuck bro, it's because I didn't see it, you understand me? But now I'm going to try to see if I can see it myself this time before I call you, because I thought, you understand me, you know?" BARAHONA stated, "I tried a piece and it was just fucking candy." CD3 stated, "Fuck, man. Okay. It's fine, Chapin [BARAHONA's nickname]. Tell him [RINCON] that I'm going to check right now." BARAHONA replied, "I'm going to do one order per day." CD3 stated, "Okay, then let me check that and I'll let you know later. Give me until tomorrow or the next day." BARAHONA replied, "Tell him for the next time to bring it." Based on my knowledge of the investigation, my training and experience, and information provided by CD3, I believe CD3 called BARAHONA to apologize for the poor quality of the cocaine, stating that CD3 had not had a chance

⁷ As discussed previously in paragraph 15, the \$42,000 per kilo price had been discussed in a text message between BARAHONA and CD3 earlier in the day (call session #122).

to check the quality. Further, I believe CD3 told BARAHONA that CD3 would attempt to exchange the kilo for a different kilo by “tomorrow or the next day.”

24. Following the undercover transaction, LEOs followed the black Jeep to the 4500 block of S. Paulina Street in Chicago. At approximately 4:37 p.m., LEOs observed BARAHONA⁸ exit the Jeep.

25. At approximately 5:15 p.m., LEOs followed the Jeep to the area of 4429 W. 100th Street in Oak Lawn and observed the Jeep park. Moments later, LEOs observed RINCON⁹ exit the Jeep and enter the residence located at 4429 W. 100th Street.

B. On October 13, 2020, BARAHONA Meets with CD3 to Check the Quality of a Kilogram of Cocaine

26. On September 4, 2020, at approximately 1:53 p.m. (call session #494), CD3 had a consensually-recorded conversation with BARAHONA, who was using Barahona Phone 1. During the call, BARAHONA stated, “Anything [Any cocaine] yet?” CD3 replied, “Everything chill. Just waiting.” BARAHONA stated, “Okay.” CD3 stated, “Yes.” BARAHONA asked, “Waiting for them?” CD3 replied, “Yes.” BARAHONA stated, “They [BARAHONA’s customers] called me, two or three [unknown quantity of cocaine].” CD3 stated, “I’ll let you know, man.” BARAHONA stated, “Yeah, you think this will happen or should I...” CD3 stated, “Let me check and I’ll advise.” Based on my knowledge of the investigation, my training and experience, and information provided by CD3, I believe that BARAHONA contacted

⁸ LEOs identified BARAHONA based on his State of Illinois driver’s license photograph.

⁹ LEOs identified RINCON based on his State of Illinois driver’s license photograph.

CD3 to determine whether CD3 had access to additional kilograms of cocaine. BARAHONA referenced that his customers were calling him.

27. On or about October 12, 2020, LEOs directed CD3 to tell BARAHONA that CD3 would soon have access to a new shipment of cocaine that was scheduled to arrive in Chicago, and to offer to sell BARAHONA one or more kilograms of cocaine.

28. On or about October 12, 2020, between approximately 10:43 a.m. and 11:20 a.m. (call sessions #1454 and 1462), CD3 sent two text messages to BARAHONA, who was using Barahona Phone 1. During the conversation, CD3 texted, "Call me. The work [shipment of cocaine] is here."

29. At approximately 11:37 a.m. (call session #1466), CD3 had a consensually-recorded conversation with BARAHONA, who was using Barahona Phone 1. During the call, CD3 stated, "This guy just told me that he arrived with the work [shipment of cocaine], brother." BARAHONA asked, "How much is it?" CD3 replied, "38 [\$38,000 per kilo]." BARAHONA replied, "Ok, well." CD3 stated, "He said it's ready for tomorrow if you want to do something." BARAHONA asked, "Tomorrow or today?" CD3 replied, "No, for tomorrow, brother. For tomorrow." BARAHONA asked, "Okay...do you want me to advise? No? Yes?" CD3 replied, "No, no, no. Yes, yes, it's all good, brother. He just called me. He's unloading now. It's here." BARAHONA replied, "Okay." CD3 stated, "Uh huh...tell your friend to see if your friend wants some." BARAHONA replied, "Alright." Based on my knowledge of the investigation, my training and experience, and information received by CD3, I believe CD3 told BARAHONA that CD3's fictitious cocaine supplier had received a new

shipment of cocaine. I further believe that CD3 told BARAHONA that the price of the cocaine would be \$38,000 per kilogram and that the cocaine would be available the following day.

30. At approximately 3:12 p.m. (call session #1469), CD3 had a consensually-recorded conversation with BARAHONA, who was using Barahona Phone 1. During the call, CD3 asked, "What did your friend [RINCON] tell you, brother?" BARAHONA replied, "Uh...I left him a message, but he hasn't replied me." CD3 stated, "Alright. Well, tell him if he can do something tomorrow." BARAHONA asked, "How many [kilos] do they have, or what?" CD3 replied, "No, I don't know. But I would imagine it's a large amount." BARAHONA replied, "Alright, I'll advise him [RINCON]." CD3 replied, "Okay, bye." Based on my knowledge of the investigation, my training and experience, and information received from CD3, I believe CD3 asked BARAHONA whether BARAHONA's customer was still interested in purchasing additional cocaine from CD3.

31. At approximately 6:26 p.m. (call session #1477), CD3 had a consensually-recorded conversation with BARAHONA, who was using Barahona Phone 1. During the call, CD3 asked, "Hey, should I tell him [CD3's fictitious cocaine supplier] to save me some [cocaine]?" BARAHONA replied, "Yeah. Let me tell the black guy [BARAHONA's second narcotics customer], too. Let's see what he says." CD3 stated, "Okay then...let me know. Tomorrow, let me know." Based on my knowledge of the investigation, my training and experience, and information received from CD3, I believe CD3 asked BARAHONA whether RINCON or BARAHONA's

second narcotics customer (“the black guy”) would be interested in purchasing additional cocaine from CD3.

32. On or about October 13, 2020, at approximately 10:43 a.m. (call session #1486), CD3 sent a text message to BARAHONA, who was using Barahona Phone 1. During the conversation, CD3 texted, “Did the black guy answer”?

33. At approximately 10:45 a.m. (call session #1488), CD3 had a consensually-recorded conversation with BARAHONA, who was using Barahona Phone 1. During the call:

a. CD3 asked, “What’s going on, man? Anything?” BARAHONA asked, “Are you sure?” CD3 replied, “Yeah. My guy [CD3’s fictitious cocaine supplier] is waiting for me.” BARAHONA asked, “Can I get a photo [sample of the cocaine]?” CD3 replied, “A photo? Fuck, let me call the guy and find out because my guy lives far and I’m going to make him come out this way.”

b. BARAHONA stated, “He [RINCON] doesn’t just want to come for fun. It [the cocaine transaction] is going to go down, but he doesn’t want to waste his time.” CD3 asked, “Who? The black guy or your other guy [RINCON]?” BARAHONA replied, “Both of them.” CD3 stated, “I’ll tell him to bring it, no? To bring it all [the entire kilogram].” BARAHONA replied, “Let me know when you have it and I’ll let him know.” CD3 stated, “It’s because if I tell this guy come at certain hours, he’ll come right away.” BARAHONA asked, “But can he lend it [the cocaine] to you for a couple hours?” CD3 replied, “If we give him half [the money]?” BARAHONA confirmed, “Give him half?” CD3 replied, “Yeah.” BARAHONA stated, “It’s because he [RINCON]

wants it all [entire kilo] but wants to see it first." CD3 confirmed, "So he wants to see it first?" BARAHONA replied, "Yeah." CD3 stated, "It's because...look, then I have to make this guy wait, right? If he brings it [the cocaine], then I have to make him wait until you guys have the money. You guys are going to take long."

c. BARAHONA replied, "That's why I'm saying, if he can lend it to you for a few hours." CD3 stated, "I don't think he will cut it [break up the kilo]. Bring half of it [money] at least, and I'll lend it [the cocaine] to him [BARAHONA's customer]." BARAHONA replied, "Okay. Right now, I'll tell him." CD3 replied, "Okay, let me know." BARAHONA stated, "That's why I'm saying, he is far, and he doesn't want to waste his time like last time [the August 28, 2020 attempted transaction referenced above]. That's why we want a piece [sample], then we'll see." CD3 replied, "Oh, because the other guy [CD3's fictitious supplier] is the same. He is far, and if I make him come here again...understand? They are both far."

d. BARAHONA stated, "He's going to call me like at 12 [noon]." CD3 replied, "Okay, let me see what I can do in the meantime." BARAHONA replied, "Okay." CD3 asked, "But it's going to happen. It will happen. Tell him, yes." BARAHONA replied, "Okay."

34. Based on my knowledge of the investigation, my training and experience, and information received from CD3, I believe BARAHONA told CD3 that RINCON was requesting a sample from the kilogram of cocaine in advance, in order to test the quality of the narcotic. In the event CD3's fictitious supplier was unwilling to provide BARAHONA and RINCON with the requested sample, I believe

BARAHONA asked CD3 if CD3's fictitious supplier would "front" the kilo to BARAHONA and RINCON for a couple of hours. I believe CD3 told BARAHONA that CD3 would contact his/her supplier to discuss BARAHONA's requests.

35. At approximately 11:07 a.m. (call session #1495), CD3 sent a text message to BARAHONA, who was using Barahona Phone 1. During the conversation, CD3 texted, "Come over cousin so you can see it [the kilo of cocaine]."

36. At approximately 11:07 a.m. (call session #1497), CD3 had a consensually-recorded conversation with BARAHONA, who was using Barahona Phone 1. During the call, CD3 stated, "Hey. If you want, you can come first so you can see it, no?" BARAHONA replied, "Okay, sounds good." CD3 stated, "At 12:30 [p.m.], he [CD3's fictitious narcotics supplier] will be here at my house. So, you can arrive, too." BARAHONA replied, "Okay." CD3 stated, "Right here at my house, but come by yourself so you won't have to bring him [RINCON], and we can see him later." BARAHONA replied, "Okay." Based on my knowledge of the investigation, my training and experience, and information provided by CD3, I believe CD3 instructed BARAHONA to come to CD3's house to meet with CD3's narcotics supplier (UC1) and to test the quality of the cocaine himself. According to CD3, BARAHONA was familiar with the location of CD3's home based on previous narcotics transactions that CD3 and BARAHONA had conducted.

37. At approximately 11:08 a.m. (call session #1500), CD3 sent a text message to BARAHONA, who was using Barahona Phone 1. During the conversation, CD3 texted, "[Enter] Through the back."

38. At approximately 12:34 p.m. (call session #1507), CD3 had a consensually-recorded conversation with BARAHONA, who was using Barahona Phone 1. During the conversation, CD3 asked, "Where are you?" BARAHONA replied, "I'm like at 51st and Damen...I'm on my way." CD3 replied, "Okay, bye."

39. At approximately 12:45 p.m., UC1 was provided with a black backpack containing a kilogram of cocaine, wrapped in black electrical tape (interior wrapping) and green cellophane (outer wrapping). UC1 was then equipped with an audio/video recording device. UC1 and UC2 (the "UCOs") entered their UC vehicle and began driving towards CD3's house.

40. At approximately 12:50 p.m. (call session #1514), CD3 received a text message from BARAHONA, who was using Barahona Phone 1. During the conversation, BARAHONA texted, "I'm ign [sic] the back."

41. Moments later, also at 12:50 p.m., using a pole camera behind CD3's house, LEOs observed a gray 2007 Nissan sedan, bearing Illinois license plate BD23709,¹⁰ arrive in the alley behind CD3's residence. The gray Nissan slowed down and then continued through the alley.

42. At approximately 12:56 p.m., using a pole camera, LEOs observed the gray Nissan sedan re-arrive and park behind CD3's residence. LEOs observed BARAHONA exit the driver's side using a crutch, relocate to CD3's backyard, and meet with CD3.

¹⁰ According to the Illinois Secretary of State databases, the gray Nissan sedan is registered to Individual B at an address on S. Paulina Street, Chicago, IL 60609.

43. At approximately 1:09 p.m., the recording device worn by UC1 was activated.

44. At approximately 1:13 p.m., the UC vehicle arrived and parked in the alley behind CD3's residence. Moments later, UC1 exited the UC vehicle carrying the black backpack containing a kilogram of cocaine and entered CD3's backyard to meet with CD3 and BARAHONA. UC2 remained inside the UC vehicle for the duration of the meeting in CD3's backyard.

45. According to UC1, CD3, a review of pole camera footage, and the recording captured by the device worn by UC1, upon arrival, UC1 greeted CD3 and BARAHONA. UC1 then opened the backpack and showed the kilo of cocaine to CD3. UC1 handed the backpack to CD3 who removed the kilo from the backpack and placed it on the outdoor bar countertop. CD3 then began cutting into the center of the kilo. CD3 asked BARAHONA, "Your friend [RINCON], is he far from here?" BARAHONA replied, "A little. Just let me take a look once and for all." After having difficulty cutting into the kilo with the tool CD3 was using, CD3 asked, "You have a knife?" UC1 replied, "No, I don't have one." CD3 then retrieved a knife from inside the house and resumed cutting into the center of the kilo in front of BARAHONA, who stated, "There's still a lot to go." CD3 then handed the kilo and the knife to BARAHONA who continued to cut into the kilo. After successfully cutting into the kilo, BARAHONA sampled the cocaine by placing a small amount in his mouth and stated, "It looks good." CD3 then lowered CD3's head to smell the middle of the kilo and stated, "Yeah, man." BARAHONA replied, "Yeah. It looks good." CD3 asked, "Put it away? Or no?"

Moments later, CD3 placed the kilo back inside the backpack and handed the backpack back to UC1.

46. At approximately 1:17 p.m., BARAHONA asked UC1, "Let me call him [RINCON]. Like, how many [kilos] could you do per day? More or less?" UC1 pointed to CD3 who stated, "Well, I don't know. Let me make a call. I'll let you know." Moments later, BARAHONA placed an outgoing call (on speaker phone) and the call went unanswered. BARAHONA then began texting on his phone while UC1 and CD3 discussed CD3's renovated patio talked in the background.

47. According to call detail records related to Barahona Phone 1, at approximately 1:17 p.m., Barahona Phone 1 placed an outgoing call to telephone number (312) 966-2558 ("Rincon Phone 1"),¹¹ believed to be used by RINCON. Less than a minute later, at approximately 1:18 p.m., Barahona Phone 1 placed an outgoing text message to the same number. Based on my knowledge of the investigation, my training and experience, and information provided by CD3, UC1, and the recording, I believe that BARAHONA sent a text message to RINCON to report on the quality of the cocaine.

¹¹ According to subscriber records provided by Sprint, Rincon Phone 1 is subscribed to Individual C at an address on S. Wood Street, Chicago, IL 60609. LEOs believe RINCON is the user of Rincon Phone 1 based on the following: Based on a review of the call detail records related to Barahona Phone 1, on or about October 13, 2020, between approximately 1:17 p.m. and 1:18 p.m., at which time BARAHONA told UC1 and CD3, "He [RINCON] will take them," the only number that Barahona Phone1 was in contact with was Rincon Phone 1. Additionally, as described in greater detail below, the following day, on or about October 14, 2020, between CD3's call to BARAHONA placed at approximately 11:25 a.m. (call session #1551) during which CD3 told BARAHONA, "I'll wait until you call [to set up the narcotics transaction], and BARAHONA's call to CD3 placed at approximately 12:58 p.m., (call session #1559) during which BARAHONA asked CD3, "Okay, how should we do this...," the only number that Barahona Phone1 was in contact with was Rincon Phone 1.

48. According to UC1 and the recording captured by UC1's recording device, at approximately 1:18 p.m., BARAHONA stated, "Well, it looks good." UC1 confirmed, "It looks good?" BARAHONA stated, "Yeah. He [RINCON] will take them." UC1 replied, "Okay then. He [CD3] will let you know then." BARAHONA stated, "If you want, today we could do one [kilo] if you want, in the afternoon." UC1 asked, "What time?" BARAHONA replied, "If you want to leave it with him [CD3], or you'll come?" UC1 replied, "I'll come." BARAHONA stated, "Okay. Let me call him [RINCON] one more time. So, it looked nice and shiny." UC1 replied, "Okay. He [CD3] will let you know then. I have my nephew [UC2] with me."

49. According to call detail records related Barahona Phone 1, at approximately 1:19 p.m., Barahona Phone 1 placed an outgoing call to Rincon Phone 1.

50. At approximately 1:19 p.m., UC1 returned to the UC vehicle with the kilo of cocaine inside the backpack, and the UCs departed the area.

51. At approximately 1:23 p.m., using a pole camera, LEOs observed BARAHONA exit the rear gate behind CD3's residence. BARAHONA then entered his vehicle and departed the area.

52. At approximately 3:23 p.m. (call session #1521), CD3 had a consensually-recorded conversation with BARAHONA, who was using Barahona Phone 1. During the call, CD3 asked, "What did he [RINCON] tell you?" BARAHONA replied, "I'm waiting for him." CD3 stated, "Okay, let me know so I can call the guy [UC1]." BARAHONA replied, "I'll let you know." CD3 stated, "So I can tell him to

come with enough time." BARAHONA replied, "Okay, sounds good." Based on my knowledge of the investigation my training and experience, and information provided by CD3, I believe BARAHONA told CD3 that he was still waiting to hear back from RINCON.

53. At approximately 4:19 p.m. (call session #1531), CD3 sent a text message to BARAHONA who was using telephone number (773) 219-2848. The text read, "Nothing??"

54. At approximately 6:30 p.m. (call session #1538), CD3 had a consensually-recorded conversation with BARAHONA, who was using Barahona Phone 1. During the call, CD3 stated, "Hey, let's leave it for tomorrow. This guy was disappointed." BARAHONA asked, "He felt bad?" CD3 replied, "Yeah. He said to leave it for tomorrow, it's too late now. He waited a while here." BARAHONA stated, "Oh yeah, just now this guy is getting here. I'll see what he says. I'll let you know." CD3 replied, "Okay, let me know what time." BARAHONA replied, "Okay." Based on my knowledge of the investigation, my training and experience, and information provided by CD3, I believe CD3 and BARAHONA agreed to postpone the narcotics transaction to the following day.

C. On October 14, 2020, BARAHONA and RINCON Meet with CD3 to Purchase a Kilo of Cocaine, But RINCON Cancels the Transaction

55. On October 14, 2020, at approximately 11:25 a.m. (call session #1551), CD3 had a consensually-recorded conversation with BARAHONA, who was using Barahona Phone 1. During the call, CD3 asked, "What happened, dude?"

BARAHONA replied, "Still waiting. He [RINCON] gets here later. He's still collecting [money]." CD3 asked, "Oh, so he still doesn't have all the paper [money]?" BARAHONA replied, "Not sure. He had it, but not sure how many [kilos of cocaine] he wants." CD3 stated, "Oh okay. Let me know. I'll wait until you call." Based on my knowledge of the investigation, my training and experience, and information provided by CD3, I believe BARAHONA told CD3 that RINCON was planning to purchase more than one kilogram of cocaine, but that RINCON was still collecting money to purchase the cocaine.

56. At approximately 12:58 p.m. (call session #1559), CD3 had a consensually-recorded conversation with BARAHONA, who was using Barahona Phone 1. During the call, BARAHONA asked, "Okay, how should we do this?" CD3 asked, "Well, let me call this guy. You guys ready?" BARAHONA replied, "Ah Yeah. Just waiting on the hour [time]. One [kilo] and then two later." CD3 confirmed, "So, one and then two later?" BARAHONA replied, "Yeah. One so he can take to try out and then he'll return for two." CD3 stated, "Oh okay. Well, let me know the time oh." BARAHONA replied, "At 2:30 [p.m.]." CD3 confirmed, "2:30? Let me ask him [UC1] if he could get here at 2:30, okay." BARAHONA replied, "Okay...call me." Based on my knowledge of the investigation, my training and experience, and information provided by CD3, I believe BARAHONA told CD3 that RINCON wanted to purchase one kilogram of cocaine that afternoon and two more kilograms at a later date. I further believe that BARAHONA and CD3 agreed to meet at 2:30 p.m.

57. At approximately 2:17 p.m., UC1 was provided with the same black backpack and the same kilogram of cocaine as the previous day. UC1 then activated his handheld audio-only recording device.

58. At approximately 2:20, UC1 and UC2 entered their UC vehicle and drove toward CD3's house.

59. At approximately 2:41 p.m. (call session #1571), CD3 had a consensually-recorded conversation with BARAHONA, who was using Barahona Phone 1. During the conversation, BARAHONA asked, "Where are you at?" CD3 replied, "I'm here waiting for the guy [UC1]." BARAHONA asked, "What's he say? Almost or what?" CD3 replied, "Let me call him and I'll let you know." BARAHONA replied, "Okay." CD3 asked, "Okay. Are you ready?" BARAHONA replied, "Yeah." CD3 stated, "All good, it's set. Just let me call him. Bye." Based on my knowledge of the investigation, my training and experience, and information provided by CD3, I believe BARAHONA asked CD3 when CD3 would be arriving to the narcotics transaction and that CD3 told BARAHONA that CD3 was still waiting for his fictitious cocaine supplier (UC1).

60. At approximately 2:45 p.m. (call session #1574), CD3 had a consensually-recorded conversation with BARAHONA, who was using Barahona Phone 1. During the conversation, CD3 stated, "Hey, like in 15 minutes. He [UC1] said he is passing by for me." BARAHONA replied, "Okay." CD3 stated, "In about 6 minutes I will see you." BARAHONA replied, "Alright."

61. At approximately 2:51 p.m., the UC vehicle pulled into the alley behind CD3's residence. As the UCOs were approaching CD3's residence, the UCOs observed CD3 standing in the alley behind CD3's residence talking to the driver of a white Toyota Highlander, bearing Illinois temporary license plate 458V240.¹² Moments later, CD3 walked over to the UC vehicle and entered the UC vehicle, and the Toyota Highlander departed the alley. CD3 advised UCOs that BARAHONA was driving the Toyota Highlander and the UC vehicle departed the alley, following the Toyota Highlander. Prior to arriving at the location where the narcotics deal was supposed to transpire, UC1 gave CD3 an audio-only recording device to hold during the operation.¹³

62. At approximately 2:54 p.m., using a POD camera, LEOs observed the UC vehicle and the Toyota Highlander arrive at the parking lot located at 6057 S. Western Avenue in Chicago. The vehicles parked next to a 2012 maroon Kia Sorento bearing Illinois plate CJ62115.¹⁴

63. According to UC1 and CD3, a review of POD camera footage, and the audio-only recording captured by CD3's recording device, after parking, BARAHONA exited his Toyota, walked over to the Kia and opened the rear driver-side door.

¹² According to the Illinois Secretary of State databases, the Toyota Highlander is registered to a business located at 3750 W. 79th Street in Chicago.

¹³ The UCs had planned to equip CD3 with an audio/video recording device while en route to the undercover narcotics deal but were unable to do so because BARAHONA was directly in front of their UC vehicle.

¹⁴ According to the Illinois Secretary of State databases, the Kia Sorento is registered to Individual A at an address in Oak Lawn, IL 60453, the same person and place of the registration for the black Jeep Cherokee RINCON drove to the August 28, 2020, meeting.

Moments later, BARAHONA closed the rear driver-side door and began to walk back to his Toyota. BARAHONA then had a brief conversation with CD3, who had exited the UC vehicle and was walking towards the Kia. During the conversation, CD3 asked, "Does he [RINCON] have the money? So, I can check it." BARAHONA replied, "Yeah, it's in the car." CD3 stated, "I'm going to look at it." BARAHONA replied, "Okay." BARAHONA then returned to his Toyota.

64. CD3 walked over to the Kia and knocked on the rear driver-side window. CD3 opened the rear driver-side door and had a brief conversation with RINCON, who CD3 recognized from the August 28, 2020, attempted controlled cocaine transaction. CD3 also observed a young girl, which CD3 estimated to be approximately 7-8 years of age, seated next to RINCON in the front passenger seat. During their conversation, CD3 stated, "What was I going to say, I need to see the paper [money]." RINCON replied, "Yeah, I got it right there." RINCON then asked CD3, "How much I owe you?" CD3 replied, "42 [\$42,000]."

65. According to CD3, CD3 opened a pink backpack in the backseat of the Kia and observed multiple bundles of U.S. currency inside the backpack. RINCON then asked about the location of the kilo and CD3 replied, "In the trunk, I think he [UC1] got it in the trunk."

66. Moments later, CD3 closed the rear driver-side door of the Kia and returned to the rear of the UC vehicle where CD3 met with UC1. UC1 then retrieved the black backpack containing the kilogram of cocaine from the trunk, and CD3 and UC1 walked over to the Kia and met with RINCON. CD3 opened the black backpack

and handed the kilo of cocaine to RINCON.¹⁵ During their conversation, CD3 stated, "Here you go, man. Test it...Chapin [BARAHONA] already seen it [the kilo] yesterday and I told him to come see it before." RINCON replied, "Alright." CD3 stated, "It was good...if you have any problems, call me. Like right away, you know?" UC1 stated, "You can text [CD3] right away." CD3 asked, "You got the money?" RINCON replied, "Ya'll think I like going through all this shit, like the other day?" CD3 replied, "Okay, that's fine. But the guy he recommended me is straight from over there, you know so..." RINCON stated, "Looking good. Yeah, Chapin is not what I said bro, you know, but fuck it. Just don't want to do shit out this motherfucker." CD3 replied, "If you want, I'll hold on to the cash. I won't give it to him [UC1] but I'll give you like, ahh, I'll give you like 30 minutes [to hold on to and test the cocaine], bro...or an hour, tops. So, I can...I don't fucking be waiting here."

67. While RINCON continued to examine and test the kilogram of cocaine, UC1 stated, "We got to go." RINCON asked, "You got to go? You got to make moves [other narcotics transactions], or what?" CD3 replied, "Yeah, Yeah, Yeah." RINCON stated, "Tell him [UC1] to chill. Tell that nigga to chill back there...I don't want take no bullshit [poor quality narcotics]." CD3 replied, "This ain't no bullshit...That's what I'm saying, like call me within thirty minutes if you don't like it. I'll give you back your money. I'll hold it out with Chapin. Just so I can get this guy [UC1] out of here." UC1 stated, "All of it, bro...You can have all of it. We're exposed [to law enforcement]

¹⁵ According to the U.S. Customs and Border Protection Laboratory, RINCON's latent prints were found on the outer wrapping (green cellophane) of the kilo of cocaine.

out here." CD3 confirmed, "Yeah, we're exposed like a motherfucker...it ain't no bullshit, bro. I've seen it, Chapin's seen it." RINCON stated, "Let me talk to uhh, Chapin real quick." CD3 replied, "Shit. Alright, let me get the cash at least." RINCON stated, "Not feeling it." CD3 asked, "You're not feeling it?" RINCON replied, "Nah bro."

68. At approximately 2:59 p.m., RINCON returned the kilo of cocaine to CD3 and UC1. CD3 placed the kilo back inside the backpack and UC1 returned to the UC vehicle with the backpack containing the kilogram of cocaine. CD3 continued to talk to RINCON and asked RINCON, "You want me to talk to Pancho [BARAHONA]?" CD3 then signaled for BARAHONA to exit his Toyota and join the conversation. RINCON stated, "Nigga [UC1] is paranoid as hell, bro."

69. Moments later, BARAHONA exited his Toyota and walked over to RINCON's Kia. CD3 stated, "He [RINCON] said he didn't like it, man." BARAHONA asked, "He didn't like it?" CD3 stated, "Look, I told him I'll hold on to the cash, but only for an hour. I can only hold it for one-hour bro, and I'll give you back the money." BARAHONA and CD3 continued to discuss the length of time that RINCON could take possession of the kilo before CD3 would have to turn in the narcotics proceeds to UC1. According to CD3, at the end of the conversation, BARAHONA received confirmation from RINCON that RINCON did not want to purchase the kilo. CD3 asked, "Oh, he don't like it?" BARAHONA replied, "Nah...try to better it [the quality of the cocaine]." CD3 replied, "Okay, then. Let me tell them."

70. At approximately 3:01 p.m., CD3 returned to and entered the UC vehicle, and CD3 and the UCs departed the area.

71. At approximately 3:05 p.m., using a POD camera, LEOs observed BARAHONA walk away from RINCON's Kia and return to his Toyota.

72. At approximately 3:06 p.m. (call session #1576), CD3 had a consensually-recorded conversation with BARAHONA, who was using Barahona Phone 1. During the call, BARAHONA asked, "You don't have anything different, do you?" CD3 replied, "Fuck bro, but...well right now I'm calling down there [to Mexico], but they are not answering, so something can happen, you know that I'm having difficulties." BARAHONA asked, "And they don't have anything different?" CD3 replied, "No, no, I don't know, man. Let me...I told you that I called to check, but no one is answering down there." BARAHONA stated, "It's that he [RINCON] wants about 3 or 4 [kilos] right now." CD3 confirmed, "3 or 4 for today? Okay." BARAHONA replied, "Yeah, if they have them but shiny [high quality]. Like that." CD3 stated, "Yeah. Okay, then let me call and communicate with them and I'll call you in a little while if they let me know, okay?" BARAHONA replied, "Or tell them to do another one [different kilo] if they have one, to see maybe if it comes out different [higher quality]." CD3 stated, "Okay, but let me...it's because they [UC1] don't tell me. It's them down there [in Mexico] that tell me, them here are just workers." BARAHONA replied, "Okay, okay." CD3 stated, "Okay, they just tell me call down there, call down there, so fuck it." BARAHONA replied, "Okay." Based on my knowledge of the investigation, my training and experience, and information provided by CD3, I

believe BARAHONA requested that CD3 talk to CD3's narcotics supplier and attempt to replace the kilo of cocaine with a different kilo of cocaine that was of higher quality. Additionally, I believe that BARAHONA told CD3 that RINCON wanted to purchase "3 or 4" kilos of cocaine from BARAHONA.

73. At approximately 3:07 p.m., using a POD camera, LEOs observed the Kia depart the parking lot and travel southbound on Western Avenue. Meanwhile, BARAHONA's Toyota made a northbound turn on Western Avenue. No further surveillance of the Toyota was conducted.

D. Law Enforcement Seizes \$42,000 of Narcotics Proceeds from RINCON

74. At approximately 3:25 p.m., LEOs conducted a traffic stop on the Kia near 3698 West Columbus Avenue in Chicago based on probable cause that RINCON was in possession of illicit narcotics proceeds. LEOs confirmed the identity of RINCON, who was driving the Kia, based on his State of Illinois driver's license, which was found on his person. RINCON identified the passenger inside his vehicle as his 7-year-old daughter. During the stop, LEOs interviewed RINCON after RINCON agreed to voluntarily speak with LEOs. When asked if he had anything in his vehicle, RINCON stated that he had \$42,000 in the car. RINCON provided LEOs with verbal consent to search his Kia. During a search of the Kia, LEOs recovered the previously observed pink backpack in the backseat of the vehicle. The backpack contained approximately 21 bundles of U.S. currency, which were later transported to the Chicago Police Department's Homan Square facility, where a canine trained to detect the odor of narcotics sniffed the money and alerted positive for the presence of

narcotics. Following the interview, RINCON was released from the traffic stop pending further investigation.

CONCLUSION

75. Based on the foregoing, I respectfully submit that there is probable cause to believe that on or about October 14, 2020, CELESTINO BARAHONA-SERRANO and RICHARD C. RINCON attempted to knowingly and intentionally possess with intent to distribute a controlled substance, namely, 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841, 846.

FURTHER AFFIANT SAYETH NOT.



DANIEL NAGY
Special Agent, Homeland Security
Investigations

Pursuant to Fed. R. Crim. P. 4.1, this Affidavit is presented by reliable electronic means. The above-named agent provided a sworn statement attesting to the truth of the statements in the Affidavit by telephone this 25th day of May, 2021



SUSAN E. COX
United States Magistrate Judge