

ATTACHMENT A

COUNT ONE

(Possession of Ammunition by a Convicted Felon)

On or about July 12, 2023, in Passaic County, in the District of New Jersey, and elsewhere, the defendant,

JUSTIN POPE

knowing that he had previously been convicted of a crime punishable by a term of imprisonment exceeding one year, did knowingly possess one round of 9mm ammunition, and the ammunition was in and affecting interstate commerce.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT TWO

(Possession of Ammunition by a Convicted Felon)

On or about July 13, 2023, in Passaic County, in the District of New Jersey, and elsewhere, the defendant,

JUSTIN POPE

knowing that he had previously been convicted of a crime punishable by a term of imprisonment exceeding one year, did knowingly possess one round of 9mm ammunition, and the ammunition was in and affecting interstate commerce.

In violation of Title 18, United States Code, Section 922(g)(1).

ATTACHMENT B

I, Adam Storms, am a Special Agent with the FBI. I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, and photographs of the evidence. Where statements of others are related herein, they are related in substance and in part. Because this Complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date and time, I am asserting that it took place on or about the date and time alleged.

1. On or about July 12, 2023, at approximately 9:06 p.m., Clifton Police Department officers responded to a 911 call, reporting shots fired in the area of a parking lot located on Van Houten Avenue in Clifton, New Jersey. Surveillance footage from the incident depicted an individual, later identified as Justin Pope ("POPE") and another individual (the "Female Victim") seated inside a black Mercedes-Benz (the "Vehicle"). POPE and the Female Victim appeared to be engaged in an altercation inside the Vehicle. The surveillance footage showed that, as the Female Victim exited the driver side of the Vehicle, POPE, who was sitting in the passenger seat, brandished a firearm and fired two shots at the Female Victim from inside the Vehicle at close-range. After the shooting, POPE and the Female Victim fled on foot. Later that day, surveillance footage captured the Female Victim returning to the area to retrieve the Vehicle.

2. Law enforcement officers responded to the area of the shooting and recovered a 9mm shell casing from the parking lot. Law enforcement further observed what appeared to be a bullet hole in the front window of a coffee shop located near the scene of the shooting. Further inspection revealed a bullet lodged in an electronic menu screen located above the cash registers of the coffee shop (collectively with the shell casing, "Ammunition 1").¹

3. Following this incident, law enforcement reviewed a publicly available social media account (the "Social Media Account") associated with POPE. On or about July 13, 2023, at approximately 10:30 a.m., a video ("Video-1") was posted to the Social Media Account depicting POPE firing a single shot from a firearm into the air. Law enforcement recognized the location shown in the video as Highland Avenue in Passaic, New Jersey. Shortly after Video-1 was

¹ In connection with this offense, POPE was charged in the Superior Court of Passaic County with Certain Persons Not to Have Weapons, in violation of N.J.S.A. 2C:39-7B(1); Aggravated Assault, in violation of N.J.S.A. 2C:12-1B(4); Unlawful Possession of a Weapon, in violation of N.J.S.A. 2C:39-5J; Unlawful Possession of a Handgun, in violation of N.J.S.A. 2C:39-5B(1); and Possession of a Weapon for an Unlawful Purpose in violation of N.J.S.A. 2C:39-4A(1).

posted, law enforcement arrived to the area of Highland Avenue and recovered a 9mm shell casing from the ground ("Ammunition 2").

4. Within one hour of Video-1 being posted, another video was posted to the Social Media Account depicting POPE driving in a vehicle and stating, "Can't find me. Fucking pigs. Police. Y'all never gonna find me."

5. Later that same day, on or about July 13, 2023, POPE was arrested by law enforcement in New York City after attempting to board a bus and brandishing a firearm at bus employees. while. At the time of his arrest, law enforcement recovered the firearm from POPE, which was later identified as a privately made 9mm firearm (the "PMF"), with a large capacity magazine attached that was loaded with two rounds of 9mm ammunition.

6. Subsequent to his arrest, POPE was advised of and waived his *Miranda* rights in writing. POPE then provided a video-recorded statement to law enforcement wherein he admitted to shooting the Female Victim as well as discharging the PMF on or about July 13, 2023 in New Jersey.

7. Law enforcement also conducted ballistics tests on the PMF. Those test results indicate that Ammunition 1 and Ammunition 2 were fired from the PMF.

8. A law enforcement firearms and ammunition expert has examined Ammunition 1 and Ammunition 2 and determined that they were not manufactured in the State of New Jersey and, therefore, necessarily traveled in interstate commerce on or before July 12, 2023 and July 13, 2023, respectively.

9. Prior to possessing Ammunition 1 and Ammunition 2, on or about July 12, 2023 and July 13, 2023 respectively, POPE was convicted of at least one felony punishable by a term of imprisonment exceeding one year. Specifically, on or about July 18, 2017, POPE was convicted in the Superior Court of Passaic County of Aggravated Assault, in violation of N.J.S.A. 2C:12-1B(1), a crime punishable by imprisonment for a term exceeding one year.