

## UNITED STATES DISTRICT COURT

for the

District of New Jersey

ORIGINAL FILED

JUN 15 2015

United States of America

v.

Keith Ney

Case No.

15-mj-2016 (JS)

JAM T. WALSH, CLERK

Defendant(s)

## CRIMINAL COMPLAINT

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

On or about the date(s) of April 23, 2015 in the county of Atlantic in the  
       District of New Jersey, the defendant(s) violated:

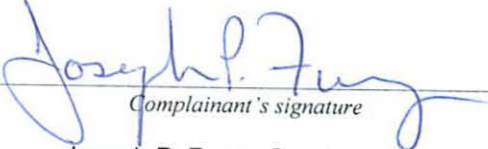
Code Section

Offense Description

SEE ATTACHMENT A

This criminal complaint is based on these facts:

SEE ATTACHMENT B

☒ Continued on the attached sheet.


Complainant's signature

Joseph P. Furey, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 06/15/2015


Judge's signature

City and state: Camden, New Jersey

Honorable Joel Schneider, U.S. Magistrate Judge

Printed name and title

CONTENTS APPROVED

UNITED STATES ATTORNEY

A handwritten signature in dark ink, appearing to be 'M. Skahill', with a long horizontal line extending to the right.

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By: MATTHEW J. SKAHILL, AUSA

Date: 6/15/2015

## **ATTACHMENT A**

On or about April 23, 2015, at Atlantic City, in the District of New Jersey, and elsewhere,  
defendant

KEITH NEY

did knowingly, by force and violence, and by intimidation, take and attempt to take from the person and presence of an employee of Cape Bank, Atlantic City, New Jersey, approximately \$164.00 belonging to, and in the care, custody, control, management, and possession of Cape Bank, a financial institution whose deposits were then insured by the Federal Deposit Insurance Corporation.

In violation of Title 18, United States Code, Sections 2113(a), and Title 18, United States Code, Section 2.

## **ATTACHMENT B**

1. I, Joseph P. Furey, am a Special Agent for the Federal Bureau of Investigation. I have personally participated in this investigation and am aware of the facts contained herein based upon my own investigation as well as information provided to me by other law enforcement officers. Since this Affidavit is submitted for the sole purpose of establishing probable cause to support the issuance of a complaint, I have not necessarily included each and every fact known by the Government concerning this investigation. Except as otherwise indicated, the actions, conversations, and statements of others identified in this Affidavit are reported in substance and in part.

2. On or about September 16, 2011, defendant KEITH NEY was convicted in the District of New Jersey of two counts of bank robbery, each in violation of 18 U.S.C. § 2113(a) and § 2, namely the October 15, 2010, robbery of the Citizens Bank on 1234 Market Street, in Philadelphia, Pennsylvania and the October 20, 2010 robbery of the Cape Bank on 1501 Pacific Avenue, in Atlantic City, New Jersey. Defendant KEITH NEY was sentenced by the Honorable Renée Marie Bumb to a term of imprisonment of 57 months on each count to be served concurrently and a three year term of supervised release.

3. On or about December 9, 2014, defendant KEITH NEY was released from the custody of the Bureau of Prisons ("BOP") and began his term of supervised release. On December 16, 2014, the United States Probation Office ("USPO") filed a Petition for Warrant or Summons for Offender Under Supervision ("Petition") alleging that defendant KEITH NEY violated two conditions of his supervised release, namely that he failed to report to the residential reentry center upon his release from the custody of the BOP and that he failed to report to the

USPO within 72 hours of his relief from the custody of the BOP. Judge Bumb signed the Petition on December 16, 2014 and a warrant was issued for defendant KEITH NEY's arrest.

4. On or about March 10, 2015, defendant KEITH NEY made an initial appearance before the Honorable Ann Marie Donio in Camden on the charges contained in the Petition. On April 21, 2015, defendant KEITH NEY was convicted of Violation No. 1 in the Petition and the Government agreed to dismiss Violation No. 2 as part of a negotiated plea agreement. Defendant KEITH NEY was sentenced to time served effective April 21, 2015 with an additional term of supervised release to follow.

5. On April 23, 2015, at approximately 9:11 a.m., the Cape Bank, 1501 Pacific Avenue, Atlantic City, New Jersey was robbed by an individual, later identified as the defendant KEITH NEY. The robber entered the bank, approached the victim teller and produced a robbery demand note that read, "I have a gun give money no one will get shot" The teller complied and furnished approximately \$164.00 in United States currency, which the robber carried away from the bank. Included with that money was \$100.00 in \$10 denominations which was "bait" money that had the individual serial numbers of those bills recorded. The robber fled the bank on foot and no getaway vehicle was associated with the robbery. The demand note was recovered by law enforcement officers and retained as evidence. The robber, who was not wearing a mask or any disguise, was captured on the bank's video surveillance system.

6. Subsequent to the robbery, an employee from Cape Bank exited the bank and approached a uniformed Atlantic City Police (ACPD) Officer who was working a traffic detail on the corners of Pacific and New York Avenues. The employee told the officer that the bank had just been robbed by a white male wearing a green jacket. She also informed the officer that

the male was walking toward Kentucky Avenue. The officer witnessed the male walking away from the area and transmitted the male's description and his direction of travel over his police department's radio. The officer then ordered the male to stop. The male ignored the officer's command and ran from the area. As a result of the radio broadcast, a K-9 officer with the ACPD, who was on patrol in the area, spotted the male running. The male, who was subsequently determined to be KEITH NEY was then ordered to the ground by the K-9 officer and detained. The ACPD officer who received the initial robbery complaint moments earlier arrived on the scene and placed defendant KEITH NEY in handcuffs. As the officer patted defendant KEITH NEY down for a weapon, defendant KEITH NEY uttered "it's in my front pocket". The officer then retrieved a sum of United States currency from defendant KEITH NEY's pocket. While the officers were still on scene with defendant KEITH NEY, a transmission was broadcast over the radio indicating that this incident could be related to a possible bank robbery. Defendant KEITH NEY was able to hear the transmission and immediately stated "Yeah, I did it. I wanna go back to jail." Defendant KEITH NEY was placed into an ACPD patrol car. Shortly thereafter, defendant KEITH NEY was taken back to the bank and positively identified by the bank tellers as the bank robber.

7. On April 23, 2015, following his arrest by ACPD detectives, defendant KEITH NEY agreed to waive his Miranda rights and be interviewed. The interview was recorded. During the interview, defendant KEITH NEY confessed to robbing the Cape Bank, in Atlantic City, New Jersey. Defendant KEITH NEY further admitted that he robbed the Citizens Bank, in Philadelphia, determined to be the bank at 1234 Market Street, Philadelphia, Pennsylvania, on or about April 22, 2015. A review of surveillance footage from this robbery confirmed that defendant KEITH NEY also did not wear any mask or disguise when robbing this bank. These

are the same two banks that defendant KEITH NEY robbed in 2010.

8. On April 23, 2015, ACPD detectives categorized and documented evidence collected during their investigation of the robbery. United States currency in the amount of \$195 was taken from defendant KEITH NEY's front pocket during his detention. Ten bills from that money matched the pre-recorded "bait bills" which were taken from the bank during the robbery.

9. At all relevant times, the deposits of the Cape Bank were insured by the Federal Deposit Insurance Corporation.