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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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UNITED STATES OF AMERICA	:	<b>CRIMINAL COMPLAINT</b>
	:	
v.	:	The Honorable Steven C. Mannion
	:	
LEONARDO ARROYO,	:	Mag. No. 15-6097
a/k/a "Leo,"	:	
ONEIL CONCEPCION,	:	<b><u>FILED UNDER SEAL</u></b>
a/k/a "Bori," and	:	
WILFRED MENDEZ,	:	
a/k/a "Will"	:	

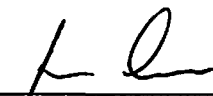
I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief.

SEE ATTACHMENT A

I further state that I am a Task Force Officer with the Drug Enforcement Administration and that this criminal complaint is based on the following facts:


SEE ATTACHMENT B

continued on the attached page and made a part hereof.

  
\_\_\_\_\_  
Ramon Candelaria  
Task Force Officer  
Drug Enforcement Administration

Sworn to before me and subscribed in my presence,  
May 18, 2015 at Newark, New Jersey

THE HONORABLE STEVEN C. MANNION  
UNITED STATES MAGISTRATE JUDGE

  
\_\_\_\_\_  
Signature of Judicial Officer

**ATTACHMENT A**

**Count One**  
**(Conspiracy to Distribute Cocaine)**

From in or about May 2013 through in or about December 2014, in Essex County, in the District of New Jersey and elsewhere, defendants

LEONARDO ARROYO,  
a/k/a "Leo,"  
ONEIL CONCEPCION,  
a/k/a "Bori," and  
WILFRED MENDEZ,  
a/k/a "Will,"

did knowingly and intentionally conspire with each other and others to distribute and possess with intent to distribute 500 grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

In violation of Title 21, United States Code, Section 846.

**Count Two**  
**(Conspiracy to Distribute Cocaine Base)**

From in or about May 2013 through in or about December 2014, in Essex County, in the District of New Jersey and elsewhere, defendant

LEONARDO ARROYO,  
a/k/a "Leo,"

did knowingly and intentionally conspire with others to distribute and possess with intent to distribute 280 grams or more of a mixture and substance containing a detectable amount of crack base ("crack-cocaine"), a Schedule I controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A).

In violation of Title 21, United States Code, Section 846.

## **ATTACHMENT B**

I, Ramon Candelaria, have been a Task Force Officer with the Drug Enforcement Administration (“DEA”) since 2013, and a detective with the Newark Police Department since 2008. I have been personally involved in the investigation of this matter. The information contained in this Criminal Complaint is based on my personal knowledge and on information obtained from other sources, including: (a) statements made or reported by various witnesses with knowledge of relevant facts; (b) my review of publicly-available information relating to the defendants; (c) my review of business records, other documents, and evidence obtained through court orders, subpoenas, and other sources; and (d) my review of audio and video recordings, photographs, and court-authorized wiretaps. Because this Criminal Complaint is being submitted for the limited purpose of establishing probable cause, it does not include every fact that I have learned during the course of the investigation. Where the content of documents and the actions, statements, and conversations of individuals are recounted herein, they are recounted in substance and in part, and the content of statements and meetings are based on partial, non-verbatim summaries of the conversations based on descriptions of the conversations prepared by monitors. All dates and times are approximate.

### **THE NEW JERSEY GRAPE STREET CRIPS**

1. The Grape Street Crips are a nationwide street gang, founded in Los Angeles, California, and operating throughout the United States, including in the District of New Jersey (hereinafter, the “NJ Grape Street Crips” or the “Enterprise”).
2. Members and associates of the NJ Grape Street Crips are united in their common goals of preserving, protecting, promoting, and expanding the power and authority of the NJ Grape Street Crips, and of increasing respect for, and enriching, members and associates of the Enterprise.

### **MANNER & MEANS OF THE ENTERPRISE**

3. The NJ Grape Street Crips routinely engage in acts of intimidation and violence—including murder, assault, and witness intimidation—to avenge attacks or perceived slights against other members of the Enterprise; to punish members who have been disloyal; to retaliate against rivals; to silence individuals who are perceived to be cooperating with law enforcement against the NJ Grape Street Crips; and to maintain and enhance the reputation of the NJ Grape Street Crips for the purpose of protecting and otherwise assisting their drug-trafficking business.
4. During the course of this investigation, Kwasi Mack, a/k/a “Welchs,” who is second-in-command of the NJ Grape Street Crips, and Corey Batts, a/k/a “C-Murder,” a/k/a “Cee,” another high-ranking member of the Enterprise, have been charged by a federal grand jury with conspiracy to commit murder, attempted murder, aggravated assault with a dangerous weapon, conspiracy to commit aggravated assault with a dangerous weapon, all in aid of racketeering, heroin distribution, conspiracy to distribute heroin, and using firearms in furtherance of crimes of violence and drug trafficking crimes. *See, e.g., United States v. Kwasi Mack & Corey Batts*, Second Superseding Indictment, Crim. No. 14-220 (SRC).

5. The rules governing the NJ Grape Street Crips provide that members of the Enterprise must retaliate against individuals who cooperate with law enforcement against the NJ Grape Street Crips. As a result of these rules, members of the NJ Grape Street Crips routinely engage in acts of intimidation and violence against witnesses, individuals who are believed to be cooperating with law enforcement, and law enforcement officers themselves.

6. Following the federal grand jury indictment referenced in paragraph 4, *supra*, Corey Batts, a/k/a “C-Murder,” a/k/a “Cee,” was charged by federal criminal complaint with attempting to murder a Special Agent of the Federal Bureau of Investigation (“FBI”) and soliciting the commission of a crime of violence against the Special Agent. *See, e.g., United States v. Corey Batts*, Criminal Complaint, Mag. No. 14-7239 (CLW).

7. As described in detail below, members of the NJ Grape Street Crips routinely use social media, cellular telephones, and other means: (i) to identify publicly individuals who are cooperating, or who previously have cooperated, with law enforcement; (ii) to issue threats against individuals who are cooperating with law enforcement; and (iii) to disseminate messages intended to dissuade individuals and witnesses from cooperating with law enforcement. For example:

a. In March 2015, law enforcement officers lawfully intercepted wire communications of coconspirator Ahmed Singleton, a/k/a “Gangsta-Mu,” a/k/a “Mooshie” (hereinafter, “Singleton”)—a member of the NJ Grape Street Crips charged in a separate federal criminal complaint<sup>1</sup>—who had been charged by the Essex County Prosecutor’s Office with, among other charges, aggravated assault with a weapon in connection with a shooting. Immediately after the dismissal of those charges by the Essex County Prosecutor’s Office, Singleton bragged to coconspirator Louis Coston, a/k/a “Real Rell,” that he had “beat trial.” Singleton explained: “You know, *I had the goons in the back seat so, so he [the victim-witness] recognized all the goons all the goons lined up in the back*, like, ‘Oh he got them goons in here, like,’ word up, that ni\*\*a was fifty though son, that ni\*\*a ain’t wanna look at nobody eyes, you heard son?” Singleton also said that the attorney for the victim-witness told Singleton and Singleton’s attorney that the victim-witness would “do the right thing” (meaning refuse to testify against Singleton) so that Singleton would not “take that ni\*\*a shit off when he come home for telling.” Singleton explained that, when the victim-witness took the witness stand, “he was like, ‘Yo, I don’t got nothing to say.’” Singleton went on: “I walked out of court free, ni\*\*a, who you know do that . . . . *who you know cause ruckus on these motherfuckin streets, come home, do whatever the fuck they want, and still be out here son?*” As a result of these efforts by Singleton and other members and associates of the NJ Grape Street Crips to intimidate the victim/witness, all charges against Singleton in connection with the shooting had to be dismissed.

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<sup>1</sup> Singleton and Louis Coston, a/k/a “Real Rell,” are charged by federal criminal complaint, filed on or about May 4, 2015, under Magistrate Number 15-6593, with conspiracy to distribute, and possess with intent to distribute, one kilogram or more of heroin, contrary to Title 21, United States Code, Sections 841(a) and (b)(1)(A), in violation of Title 21, United States Code, Section 846.

b. In late 2013, a senior member of the NJ Grape Street Crips used a social media account to identify an individual as having previously cooperated with a murder investigation conducted by the Essex County Prosecutor's Office. Several days after that social media post, several members of the NJ Grape Street Crips repeatedly shot and nearly killed two people, one of whom was the individual who had been identified as having cooperated.

c. In late 2013, following the arrest of numerous gang members, law enforcement officials learned that members of the NJ Grape Street Crips on the street had directed those members of the Enterprise who were incarcerated at a county correctional facility to physically harm an individual who was believed to have cooperated with the law enforcement investigation.

d. On or about August 28, 2014, *after* the shooting for which Singleton was charged by the Essex County Prosecutor's Office, a video posted on YouTube shows Singleton stating, "No rats though, no rats, we don't do rats, we don't eat cheese. Keep that shit over there, we don't tolerate that shit." At that point, coconspirator Justin Carnegie, a/k/a "Dew Hi," a/k/a "Aaron Dickerson"—a member of the NJ Grape Street Crips charged in a separate federal criminal complaint<sup>2</sup>—states, "187 on all rats. . . . If ya'll don't hear anything else, ya'll gonna hear about how we be straight rat killin on that shit. It ain't no love over here. If a nigga associating with them, they could die too." Based on my knowledge and experience, the term "187" is a gang reference to the California Penal Code Section 187, which defines the crime of murder. Thus, the phrase "187 on all rats" means that individuals who cooperate with law enforcement should be murdered.

e. A post on a social media account used by coconspirator Justin Carnegie, a/k/a "Dew Hi," a/k/a "Aaron Dickerson," shows an extremely graphic photograph of a bloody individual with his jaw and neck blown away from his face. The caption to the post states: "@AllSnitches I bet ur ass won't talk again #187AllRats."

f. A video posted on a social media account shows a member of the NJ Grape Street Crips, while holding a stack of papers in his hand, stating: "I've seen a lot of ni\*\*as paperwork man . . . shit thicka then a book, I ain't never seen nobody's motherfuckin paperwork this motherfuckin thick. Ni\*\*a told on everybody man . . . . you fuckin rat." Based on my knowledge and experience, the word "paperwork" in this context refers to the pretrial discovery received by criminal defendants. Members of the NJ Grape Street Crips frequently obtain and circulate to other gang members any discovery documents suggesting that an individual or fellow gang member is cooperating with law enforcement or has provided law enforcement with information about other gang members or the Enterprise generally.

g. A social media account used by a senior member of the NJ Grape Street Crips who is facing a federal indictment in this District shows a post stating: "ME AND MY NI\*\*AZ

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<sup>2</sup> Carnegie is charged by federal criminal complaint, filed on or about May 4, 2015, under Magistrate Number 15-6593, with conspiracy to distribute, and possess with intent to distribute, one kilogram or more of heroin, contrary to Title 21, United States Code, Sections 841(a) and (b)(1)(A), in violation of Title 21, United States Code, Section 846.

WILL BURN OUR TONGUE B4 WE RAT #TEAMKAR.” Based on my knowledge and experience, the phrase “TEAMKAR” means “Team Kill All Rats.”

h. Finally, as described in paragraph 48 through 50 of the federal criminal complaint filed in *United States v. Concepcion et al.*, Mag. No. 15-6592, members and leaders of the NJ Grape Street Crips also physically assault members of the Enterprise who violate the Enterprise’s rules or protocols.<sup>3</sup>

8. Members and associates of the Enterprise, including the defendants charged herein, utilized their affiliation with the NJ Grape Street Crips to protect and otherwise assist their drug-trafficking business. Further, members and associates of the Enterprise engaged in violent acts to maintain and enhance the reputation of NJ Grape Street Crips for the purpose of protecting and otherwise assisting their drug-trafficking business.

9. Members and associates of the NJ Grape Street Crips engaged in, and/or controlled, drug trafficking and other criminal activities in various public-housing complexes and neighborhoods in Newark, New Jersey, including (i) the area of 6th Avenue and North 5th Street (hereinafter, the “6th Avenue Location”); (ii) the Pennington Court public-housing complex located on Pennington Street (hereinafter, the “Pennington Court Location”); (iii) the Millard Terrell Homes public-housing complex located on Riverview Terrace (hereinafter, the “Riverview Court Location”); (iv) the Oscar Miles public-housing complex located on Court Street (hereinafter, the “Oscar Miles Location”); (v) the New Hope Village housing complex located on Norfolk Street (hereinafter, the “New Hope Village Location”); (vi) the Wynona Lipman Gardens and Kemsco public-housing complexes located near 7th Avenue (hereinafter, the “7th Avenue Locations”); and the John W. Hyatt public-housing complex located on Hawkins Street (hereinafter, the “Hyatt Court Location”).

### **THE DEFENDANTS & THEIR ROLES**

10. At all times relevant to this Criminal Complaint:

a. Coconspirators Eric Concepcion, a/k/a “Eddie Arroyo,” a/k/a “E-Wax” a/k/a “Wax” (hereinafter, “Concepcion”), Hakeem Vanderhall, a/k/a “Keem,” a/k/a “Sugar Bear” (hereinafter, “Vanderhall”), Jamar Hamilton, a/k/a “Gunner” (hereinafter, “Hamilton”), Tyquan Clark, a/k/a “Tah” (hereinafter, “Clark”), Christopher Coelho, a/k/a “Brazil” (hereinafter, “Coelho”)—all charged in a separate federal criminal complaint—were members of the NJ

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<sup>3</sup> Six members of the NJ Grape Street Crips were charged by federal criminal complaint, filed on or about May 5, 2015, under Magistrate Number 15-6592, with running a continuing criminal enterprise, in violation of Title 21, United States Code, Sections 848(a) and 848(c), conspiracy to distribute, and possess with intent to distribute, 280 grams or more of crack-cocaine, conspiracy to distribute, and possess with intent to distribute, 100 grams or more of heroin, contrary to Title 21, United States Code, Sections 841(a) and 841(b)(1)(A), in violation of Title 21, United States Code, Section 846, and 100 grams or more of heroin, contrary to Title 21, United States Code, Sections 841(a) and 841(b)(1)(B), in violation of Title 21, United States Code, Section 846.

Grape Street Crips and were actively involved in the Enterprise's distribution of crack-cocaine at or around the 6th Avenue Location. Specifically, Concepcion, Hamilton, Clark, and Coelho utilized Cell Phone-1, a well-known, dedicated cell phone used to accept orders for distribution quantities of crack-cocaine to more junior gang members and/or other crack-cocaine distributors. Concepcion, Hamilton, Clark, and Coelho each would take turns using Cell Phone-1 to distribute set quantities of crack-cocaine.

b. Coconspirator Vanderhall—charged in a separate federal criminal complaint—supervised the street-level distribution of crack-cocaine and heroin by junior members of the Enterprise at or around the 6th Avenue Location. Further, Vanderhall himself sold distribution quantities of crack-cocaine and heroin at or around the 6th Avenue Location. Vanderhall and Clark, among others, assisted in the cooking and packaging of powder cocaine into crack-cocaine for distribution at or around the 6th Avenue Location.

c. Coconspirator Toma Williams, a/k/a "T-Dubbs" (hereinafter, "Williams"), charged in a separate federal criminal complaint, was a supplier of heroin in and around Newark, New Jersey.<sup>4</sup>

d. Defendant Leonardo Arroyo, a/k/a "Leo" (hereinafter, "Arroyo"), was a supplier of cocaine to Concepcion, Hamilton, Clark, and Coelho at the 6th Avenue Location. In addition, Arroyo sold distribution quantities of crack-cocaine and heroin at or around the 6th Avenue Location. Arroyo purchased his supply of cocaine from coconspirator Oneil Concepcion, a/k/a "Bori" (hereinafter, "Oneil Concepcion"), and his supply of heroin from Williams, among other individuals.

e. Defendant Oneil Concepcion was a supplier of cocaine to Arroyo and, through Arroyo, to the NJ Grape Street Crips operating at or around the 6th Avenue Location.

f. Defendant Wilfred Mendez, a/k/a "Will," was a coconspirator and associate of Arroyo who distributed cocaine, crack-cocaine, and heroin.

## **THE INVESTIGATION**

11. Between in or around September 2013 and in or around April 2015, the United States District Court, District of New Jersey, entered orders authorizing electronic surveillance over numerous cell phones used by members and associates of the NJ Grape Street Crips. Calls and text messages intercepted over these cell phones revealed the scope of the Enterprise's drug trafficking at various locations, including the identities of narcotics suppliers, wholesale narcotics customers, distributors, and other coconspirators. In addition, law enforcement officers conducted numerous controlled purchases of narcotics from members and/or associates of the Enterprise. Some of these communications and other evidence are described below.

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<sup>4</sup> Coconspirator Williams was charged by federal criminal complaint, filed on or about October 4, 2014, under Magistrate Number 14-7231, with distribution, and possession with intent to distribute, one kilogram or more of heroin, in violation of Title 21, United States Code, Sections 841(a) and (b)(1)(A).

12. The investigation has revealed that Arroyo and Oneil Concepcion supplied powder cocaine to Concepcion, Hamilton, Clark, and Coelho, and that powder cocaine was then cooked into crack-cocaine and packaged for wholesale distribution. The investigation has also shown that Arroyo and Mendez distributed crack-cocaine and heroin at or near the 6th Avenue Location.

13. On or about July 28, 2014, at approximately 11:42 a.m., Arroyo, using a phone with a telephone number ending in 7977 (hereinafter, the "Arroyo 7977 Phone"), placed a call to Concepcion, who was using a cell phone with a telephone number ending in 9434 (hereinafter, the "Concepcion 9434 Phone"). During that call, Arroyo and Concepcion had the following exchange:

Concepcion: Hello?

Arroyo: What you doin'?

Concepcion: I'm at the house. About to come out. What he say?

Arroyo: Hello?

Concepcion: What ya man say?

Arroyo: Nah, he say let him know when we run it. I said. "Yo just let him, if it's a definite, what's the number, so he could see what number he could give out."

Concepcion: Tell him that if a grab a, a whole, if he goin do thirty-six?

Arroyo: I'll let him know. What should I say?

Concepcion: Call 'em. Because I was only gonna bring, uh, let me know, so I can bring all the money out.

Arroyo: Aight.

Concepcion: Call 'em and call me right back.

Based on the content of this call, on other intercepted communications, and on my knowledge, training, and experience, Concepcion and Arroyo were discussing the purchase of one kilogram of powder cocaine ("a whole"). Concepcion told Arroyo to ask his (Arroyo's) supplier if the supplier would sell at a price of \$36,000 if Concepcion purchased an entire kilogram of cocaine.

14. Shortly thereafter, at approximately 11:45 a.m., Arroyo, using the Arroyo 7977 Phone called Concepcion at the Concepcion 9434 Phone and had the following discussion:

Concepcion: Yo?



Arroyo: Yeah, it can't be that number cause he got it at thirty-five. He said thirty-five-and-a-half and he's trying to make something.

Concepcion: Aight, I'ma call you back.

Arroyo: Huh?

Concepcion: I said, I'ma call you back.

Arroyo: You what?

Concepcion: I said, I'ma call you back. I'ma see how much money I got saved up. Now [Individual-1] got me fourteen and that money you going to give me and I'ma still be short 2 thou--

Arroyo: I'm saying I'm just telling you that he can't do that number.

Concepcion: I'm saying, if he said thirty-seven. So, if he said thirty-seven, I'm short three, ah, three thou--

Arroyo: Aight. See what you can do.

Concepcion: Aight.

Based on the content of this conversation and previously intercepted communications, Arroyo told Concepcion that he (Arroyo) had spoken with the supplier who said that the price for a kilogram would be more than \$36,000 because the supplier had purchased the kilogram of cocaine for \$35,500 and wanted to clear a larger profit from it. Concepcion told Arroyo that he (Concepcion) would check how much money he could gather for the purchase.

15. On or about July 28, 2014, at approximately 3:51 p.m., Arroyo, using the Arroyo 7977 Phone, spoke with Concepcion, who was using the Concepcion 9434 Phone. Concepcion and Arroyo had the following conversation:

Concepcion: I got five more thousand, you got to put the rest of the shit.

Arroyo: Oh, man, you killing me now. What you [U/I]<sup>5</sup>?

Concepcion: It's only two thou more.

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<sup>5</sup> “[U/I]” means that the portion of the recording so designated cannot be heard on readily-available equipment.

Arroyo: Yeah, but you told me you had it. Right now you got me looking like a dick.

Concepcion: Nah. You got, got to put four to it. I got five right here. That makes thirty-five, I need two more though.

Arroyo: Aight. Cause he called me. He was like, he was telling me something but I'm about to meet up with him as soon to see exactly what he's talking about.

Based on the content of this conversation and previously intercepted communications, Arroyo and Concepcion were discussing the purchase of the kilogram of cocaine. Concepcion told Arroyo that he (Concepcion) had \$35,000, but he needed an additional \$2,000 and asked whether Arroyo could contribute the \$2,000. Arroyo stated that he and the supplier were about to meet.

16. On or about July 28, 2014, at approximately 4:10 p.m., law enforcement officers conducting physical surveillance observed Arroyo and Concepcion near the intersection of North 5th Street and Orange Street in Newark, New Jersey. Arroyo was driving a white Chevrolet Tahoe, while Concepcion was driving a gray Nissan Maxima. At approximately 4:21 p.m., Arroyo and Concepcion got out of their vehicles, engaged in a brief conversation, returned to their vehicles, and drove off in different directions. Law enforcement followed Arroyo to a location on North 9th Street.

17. At approximately 7:10 p.m., law enforcement officers observed Arroyo meet with Oneil Concepcion, who was driving a white Acura 35E, near North 9th Street. At approximately 7:13 p.m., Arroyo approached the passenger side of the Acura. Arroyo grabbed a black plastic bag from the passenger side of the Acura and entered a residence on North 9th Street. Based on subsequently intercepted communications, the plastic bag that Oneil Concepcion delivered to Arroyo contained the cocaine that Arroyo and Concepcion purchased from Oneil Concepcion.

18. On or about July 28, 2014, at approximately 7:53 p.m., Concepcion used the Concepcion 9434 Phone to call Arroyo at the Arroyo 7977 Phone. Concepcion and Arroyo had the following exchange:

Arroyo: Yo?

Concepcion: Yo, what happened?

Arroyo: I'm just letting it get air now, chopped it up and letting it dry out.

Concepcion: What color is it?

Arroyo: That light beige.

Concepcion: Aight.

Arroyo: Yeah, not that buttery looking, that light, light, light good looking beige.

Concepcion: Hmmm.

Arroyo: Come by.

Concepcion: Aight.

Based on the content of this conversation, previously-intercepted conversations, and on my training and experience, Arroyo told Concepcion that he (Arroyo) had cut-up the cocaine and was letting it dry. Arroyo then told Concepcion that the cocaine was a “good looking beige” color.

19. On or about August 21, 2014, at approximately 9:22 p.m., Arroyo used the Arroyo 7977 Phone to speak with an individual (hereinafter, “Coconspirator-1”). During that conversation, Coconspirator-1 told Arroyo, “I snatch twenty from you if it is beautiful for me.” Arroyo then asked, “What is beautiful? Let me hear your shit.” Coconspirator-1 replied, “Uh, 110.” Arroyo countered with “115” and then said, “Come on man, let me make a dollar, man, man.” Based on the content of this conversation and other intercepted communications, Coconspirator-1 ordered 20 bricks of heroin from Arroyo.<sup>6</sup>

20. Shortly thereafter, at approximately 9:24 p.m., Arroyo used the Arroyo 7977 Phone to speak with Williams, who was using a cell phone with a telephone number ending in 0906 (hereinafter, the “Williams 0906 Phone”). During that conversation, Williams and Arroyo had the following exchange:

Williams: What up, Leo?

Arroyo: Hey yo, are you around?

Williams: Yeah, I’m around.

Arroyo: I need like twenty dollars like ASAP.

Williams: Alright. Where you at?

Arroyo: Uh, give me like five minutes, I’m gonna meet you by the bar.

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<sup>6</sup> Based on my training and experience, a “brick” of heroin refers to a package of heroin containing 50 glassine or wax-paper envelopes containing individual hits of heroin. A brick of heroin contains 5 “bundles” of heroin, each of which, in turn, constitute 10 envelopes or “decks” of heroin.

Williams:        **Alright. Let me know, I'm right here.**

Arroyo:         **I'm leaving right now, so I will be there in five minutes.**

Williams:       **In five minutes?**

Arroyo:         **I'm gonna call you as soon as I'm there.**

Shortly thereafter, at approximately 9:49 p.m., Arroyo received a call from Mendez, who was using a cell phone with a telephone number ending in 6574 (hereinafter, the "Mendez 6574 Phone"). During that call, Mendez said, "Leo, Toma's boy over here looking for you." Arroyo responded, "Tell him stay right there, I'll be right there." Based on the content of these conversations and other intercepted communications, Arroyo ordered 20 bricks of heroin from Williams, which he (Arroyo) planned to sell to Coconspirator-1. Mendez then informed Arroyo that an associate of Williams was looking for Arroyo to deliver the 20 bricks of heroin.

21.     On or about August 22, 2014, at approximately 12:30 p.m., Arroyo used the Arroyo 7977 Phone to speak with Mendez, who was using the Mendez 6574 Phone. During that conversation, Mendez asked Arroyo, "You still got balls left?" (referring to clips of crack-cocaine).<sup>7</sup> Arroyo replied, "Nah I'ma bout to stop and get some-- I'ma bout to stop and get some baggies" (referring to zip-lock bags used to package clips of crack-cocaine).

22.     On or about August 23, 2014, at approximately 3:16 p.m., Arroyo used the Arroyo 7977 Phone to speak with Mendez, who was using the Mendez 6574 Phone. During that conversation, Mendez asked Arroyo, "You got paper yet" (referring to heroin, which is packaged for distribution in wax-paper and is therefore frequently referred to on the street as "paper"). Arroyo replied, "He about to meet up with me now at about like 3:00 or 4:00" (meaning that Arroyo was about to meet with someone to pick up a shipment of heroin).

23.     On or about August 24, 2014, at approximately 4:59 p.m., Arroyo used the Arroyo 7977 Phone to speak with an individual (hereinafter, "Coconspirator-2"). Coconspirator-2 told Arroyo, "I need twenty dollars." When Arroyo responded, "Aight," Coconspirator-2 said, "Man, c'mon, some ASAP shit, cause my mo' f\*\*\*ing cousin calling me hounding me. C'mon brah." Shortly after this conversation, at approximately 5:00 p.m., Arroyo used the Arroyo 7977 Phone to speak with Mendez, who was using the Mendez 6574 Phone. Arroyo and Mendez had the following conversation:

Arroyo:         **How many you made?**

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<sup>7</sup> Based on my training and experience and on the facts discovered during the course of this investigation, members, associates, and customers of the NJ Grape Street Crips distributing narcotics at the 6th Avenue Location used the terms "clip," "ball," and "piece," interchangeably. These terms refer to a drug-distribution package containing around 10 individual hits or "cookies" of crack-cocaine.

Mendez: I'm still right here. I had to step out, back out, and I caught up right now. I'm putting it together [U/I].

Arroyo: Aight. I, I got a question: How many you got made?

Mendez: Right now, right now I'm banding it up. I'm putting it in rubber bands, that's what I'm doing. Why? What you need?

Arroyo: They just called me for twenty.

Mendez: What?!

Arroyo: That's why I'm saying, how many you have, so I could just grab whatever you have and grab some from my other man and try to--

Mendez: I ain't nowhere near twenty, come on, you know that.

Arroyo: Ah, no, no, no, no. I know, you ain't even-- I just asked how many did you have.

Mendez: Alright, alright, ugh, let me call back. Let me just, I'll let you know in like ten minutes.

Arroyo: How many, how many you think you got already made?

Mendez: Made? Right here, I have two cans right now, I'm putting them in rubber bands.

Based on the content of this conversation and other intercepted communications, Arroyo asked Mendez how many bricks of heroin he (Mendez) had finished packaging because he (Arroyo) had just received an order for 20 bricks. Arroyo told Mendez that he (Arroyo) would take however many bricks Mendez had finished packaging and obtain the remaining bricks from another supplier in order to fulfill the order for the 20 bricks. Mendez told Arroyo that he (Mendez) had about 2 bricks put together.

24. Around fifteen minutes later, at approximately 5:15 p.m., Arroyo and Mendez spoke again and had the following conversation:

Arroyo: Talk.

Mendez: Eight.

Arroyo: That's all you got right now?

Mendez: That's it n\*\*\*\* and after that, what's left over is just a few loose bags.

Based on the content of this conversation, Arroyo asked Mendez how many bricks of heroin Mendez had finished packaging. Mendez told Arroyo that he had finished packaging 8 bricks and that he had a few loose decks of heroin.

25. On or about August 26, 2014, at approximately 1:48 p.m., Arroyo used the Arroyo 7977 Phone to speak with Concepcion, who was using a cell phone with a telephone number ending in 8228 (hereinafter, the "Concepcion 8228 Phone"). Arroyo and Concepcion had the following discussion:

Arroyo: Ey yo, State boys out. Be careful.

Concepcion: Say it again.

Arroyo: State boys out. Be careful.

Concepcion: What car is he in?

Arroyo: They're in the brown Crown Vic.

Concepcion: That's BON or State?

Arroyo: Nah, it's State.

Concepcion: Aight.

Based on the content of this conversation and other intercepted communications, Arroyo was warning Concepcion about the presence of law enforcement. Concepcion asked Arroyo whether he (Arroyo) thought the officers were with the Bureau of Narcotics of the Essex County Sheriff's Office or the New Jersey State Police, and Arroyo indicated that he believed it was the New Jersey State Police.

26. On or about August 27, 2014, at approximately 9:08 p.m., Arroyo used the Arroyo 7977 Phone to speak with Vanderhall, who was using a cell phone with a telephone number ending in 6611. In that conversation, Arroyo warned Vanderhall, "Be careful, that black Malibu running around that's probably them." Vanderhall replied, "Alright. The black Montecarlo?" Arroyo responded, "Yeah, he was just doing zig-zag." Based on the content of this conversation and other intercepted communications, Arroyo and Vanderhall were speaking about law enforcement presence in the area.

27. On or about August 28, 2014, at approximately 3:03 p.m., Arroyo, using the Arroyo 7977 Phone, received a call from an individual (hereinafter, "Coconspirator-3"). During that conversation, Arroyo and Coconspirator-3 had the following exchange:

Arroyo: What's up?

CC-3: You got something?

Arroyo: Yeah, I only got the yellow shit, if you want it just tell me now I don't wanna hang around with it. It's good though.

CC-3: So you only got the yellow shit?

Arroyo: Yeah. It's good though.

CC-3: Anybody-- nobody said it taste like perfume or nothing?

Arroyo: Nothing, nothing. [U/I] six-hundred and he didn't tell nothing.

CC-3: Alright, let me, let me get, uh, twenty.

Arroyo: Where you wanna meet me at?

CC-3: Uh, you think you can meet me on 3rd Street and Park?

Arroyo: I hate going there. Alright I will meet you there.

Based on the content of this conversation, Arroyo and CC-3 were discussing the sale of a quantity of cocaine or crack-cocaine. Coconspirator-3 asked Arroyo whether anyone had complained about Arroyo's product tasting like perfume. After Arroyo answered in the negative, Coconspirator-3 asked Arroyo for 20 clips of crack-cocaine.

28. On or about August 28, 2014, at approximately 3:03 p.m., Arroyo, using the Arroyo 7977 Phone, placed a call to Oneil Concepcion, who was using a phone with a telephone number ending in 3580 (hereinafter, the "Oneil 3580 Phone"). Oneil Concepcion and Arroyo had the following exchange:

Oneil: What?

Arroyo: This chick's calling, she already called me like fifty times.

Oneil: Did you cut it last night?

Arroyo: Yes.

Oneil: I will come down there in about an hour.

Based on the content of this conversation and subsequently intercepted communications, Concepcion asked Arroyo whether he (Arroyo) had cut the cocaine in order to cook it into crack-cocaine.

29. On or about August 31, 2014, at approximately 11:14 a.m., Arroyo, using the Arroyo 7977 Phone, spoke with Oneil Concepcion, who was using the Oneil 3580 Phone:.

Arroyo: No, no you know what's going with this?

Oneil: What?

Arroyo: It doesn't stay-- I don't want to tell you anymore, so you can see it. [U/I].

Oneil: It doesn't stay what?

Arroyo: It doesn't want to stay hard.

As the conversation continued, Arroyo and Oneil Concepcion had the following discussion:

Arroyo: It doesn't want, it doesn't stay hard. It gets like hard, but not like-- remember like before, that it would get like a rock?

Oneil: Yes, but put some [stutters], I don't know. Put it under a light bulb or something so it can get hard buddy because, now I have a problem with that too.

Arroyo: Huh?

Oneil: Put it under a light bulb, a light or something so it can get hard, to get rid of that because now I have a problem with that too. They're calling me, [U/I]. I'm telling them, "Look buddy, [U/I]," he's telling, "But I gave you twenty for you to do one thing, so how can you not tell me that the twenty." You understand? It's not like--

Arroyo: Yeah, but--

Oneil: I'm not gonna tell you you're wrong.

Arroyo: Okay, but you can't tell me that I'm wrong. Look, I'm putting it in the little bags and it's melting in the little bags. I can't do nothing with this. Call, call [U/I] and I'll show it to them.



Based on the content of this conversation and on my training and experience, Arroyo told Oneil Concepcion that there was a problem with the powder cocaine that they had purchased. Specifically, Arroyo told Oneil Concepcion that, after being cooked, the drugs would not dry or turn into the typical rock-like substance that is crack-cocaine, and therefore it would be difficult to sell on the street.

30. On or about August 31, 2014, at approximately 3:06 p.m., Arroyo, using the Arroyo 7977 Phone, called Oneil Concepcion at the Oneil 3580 Phone, and the two men had the following exchange:

Arroyo: Talk to me.

Oneil: I know that maybe you're not wrong or I'm not wrong or whatever but try to, I don't know, call, I don't know, do something see what you can do with that because this one-- It's not because of me, this one is telling me, "Buddy, but if I gave you twenty first, why didn't you test it first? [U/I] add something." Try to come up with something, I don't know if it can be mixed, thrown back, add something, I don't know.

Arroyo: So what you're telling me in a few words is that I'm screwed?

Oneil: That you're what? No, no we're screwed. Because three pesos are owed and I have to-- no, it's a mess [U/I]. That's what [U/I].

Arroyo: No but, we can't do anything with that. I bag it up and it sticks to the bag. Do you understand what I'm telling you?

Oneil: Yes, yes, it doesn't dry, it doesn't dry.

Arroyo: It doesn't dry. I mean, I have it-- I left it all night, just a little while ago, I started bagging it and dude, it was just sticking to the bag. I said, "Oh man, how--." Now I'm screwed, because I handed over all the tickets that I had. Now I don't even have a peso.

Based on the content of this conversation and on my training and experience, Arroyo and Oneil Concepcion were speaking about cocaine that was poor quality because it would not dry when cooked into crack cocaine and would therefore be more difficult if not impossible to sell at a wholesale or retail level.

31. On or about September 19, 2014, at approximately 3:20 p.m., Arroyo, using the Arroyo 7977 Phone, placed a call to Oneil Concepcion, who was using a phone with a telephone number ending in 1945 (hereinafter, the "Oneil 1945 Phone"). During that conversation, Arroyo asked, "What happened with the 100 pesos, bro?" (asking about 100 grams of cocaine). Oneil Concepcion replied, "I will see you soon. They should be arriving shortly. I left-- I left to go see him. He told me, "I'll be right back." Arroyo stated, "Wow." Oneil Concepcion then said, "I left real quick to take the money to the Dominican and Flaco said--." Arroyo replied, "Alright, alright, it's already been three hours." Based on the content of this conversation and previously intercepted communications, Arroyo and Oneil Concepcion were discussing a transaction for 100 grams of cocaine.

32. On or about September 21, 2014, at approximately 7:23 p.m., Arroyo, using the Arroyo 7977 Phone, spoke with Mendez, who was using the Mendez 6574 Phone. During that conversation, Arroyo asked Mendez, "You want to come to my house and come grab some of these balls and take care of some of these n\*\*\*\*\* out here, they keep calling me like crazy." Mendez replied, "Aight." Based on the content of this conversation and other intercepted communications, Arroyo asked Mendez to take Arroyo's supply of clips of crack-cocaine to sell to customers who were calling Arroyo.

33. On or about September 24, 2014, at approximately 4:11 p.m., Arroyo, using the Arroyo 7977 Phone, received a call from an individual (hereinafter, "Coconspirator-4"). During that conversation, Arroyo and Coconspirator-4 had the following exchange:

Arroyo: Hello?

CC-4: Talk to me what's up, buddy?

Arroyo: Tell me, you tell me.

CC-4: Fine. Is there a lot of, a lot of beer there, to drink a couple?

Arroyo: Like, how much?

CC-4: Up to a whole beer.

Arroyo: Alright.

CC-4: For an uncle of mine, over there in New York.

Arroyo: Alright, um, get the "tickets," that's around, that's there.

CC-4: No, but wait. It's not a whole beer from the half of what I took from you. No, it's a whole one.

Arroyo: Oh, no. Then, there is none. Those people have it but they aren't going to sell it like that because they are breaking it and they are giving it away little by little.

CC-4: Uh-huh, but, what do mean little by little?

Arroyo: How so?

CC-4: Half or 400? What?

Arroyo: Eh, I don't know. They are giving it to me at 300, 200, 300, 200.

Based on the content of this conversation, my training and experience, and previously intercepted communications, Arroyo and Coconspirator-4 were discussing a transaction involving at least a kilogram of cocaine ("a whole beer"). Arroyo then told Coconspirator-4 that he (Arroyo) was not so sure that an entire kilogram of cocaine was available because the suppliers had been selling it to Arroyo piecemeal ("[t]hey are giving it to me at 300, 200, 300, 200," referring to grams).

34. Shortly thereafter, on or about September 24, 2014, at approximately 4:19 p.m., Arroyo used the Arroyo 7977 Phone to speak with Oneil Concepcion, who was using a cell phone with a telephone number ending in 6651 (hereinafter, the "Oneil 6651 Phone"). Arroyo asked Oneil Concepcion, "Yo, look for, look for three pesos for me over there, real quick. Let's get moving." Oneil Concepcion replied, "Alright." Based on the content of this conversation and other intercepted communications, Arroyo asked Oneil Concepcion for 300 grams of cocaine.

35. The next minute, at approximately 4:20 p.m., Arroyo used the Arroyo 7977 Phone to speak with Coconspirator-4. Arroyo told Coconspirator-4 that it was "a yes." When Coconspirator-4 asked, "The whole thing," Arroyo replied, "No, there are, he said there were like three hundred." Based on the content of this conversation and other intercepted communications, Arroyo told Coconspirator-4 that he (Arroyo) could obtain 300 grams of cocaine for Coconspirator-4.

36. Approximately two-weeks later, on or about October 3, 2014, law enforcement officers with the DEA arrested Williams, a supplier of heroin based in Newark, New Jersey. In connection with Williams' arrest, law enforcement officers seized over one kilogram of a substance that subsequently field tested positive for the presence of heroin. On or about October 3, 2014, at approximately 11:04 p.m., Arroyo, using the Arroyo 7977 Phone, received a call from Concepcion, who was using a phone with a telephone number ending in 5880 (hereinafter, the "Concepcion 5880 Phone"). During that conversation, Concepcion warned Arroyo:

Concepcion: Yo, be careful too, man. Buy a new phone tomorrow.

Arroyo: Alright.

Concepcion: Hey you, you hear me?

Arroyo: Yeah.

Concepcion: *They came and got Toma, you heard?* And, I, I know you probably be talking to Toma, so, you know what I'm saying?

Arroyo: Oh, *I'm throwing this phone away.* Alright, bye. Bye.

(emphases supplied). Based on the content of this conversation and previously intercepted communications, Concepcion warned Arroyo that Williams, had been arrested by law enforcement and instructed Arroyo to change his phone to thwart any possible law enforcement investigation into Arroyo. Arroyo indicated that he would change the cell phone he was using.