
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Lois H. Goodman
v. : Mag. No. 15-4527
JOHN LAFERGOLA : **CRIMINAL COMPLAINT**

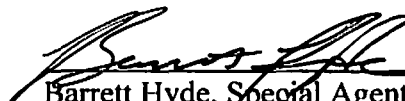
I, Barrett Hyde, being duly sworn, state the following is true and correct to the best of my knowledge and belief: On or about October 5, 2014, in Monmouth County, in the District of New Jersey and elsewhere, the defendant

JOHN LAFERGOLA

did knowingly possess machine guns, in violation of Title 18, United States Code, Section 922(o).

I further state that I am a Special Agent of the United States Bureau of Alcohol, Tobacco, Firearms and Explosives and that this complaint is based on the following facts:

SEE ATTACHMENT A


Barrett Hyde, Special Agent
United States Bureau of Alcohol, Tobacco,
Firearms and Explosives

Sworn to before me and subscribed in my presence,

December 29, 2015
Date

Honorable Lois H. Goodman
United States Magistrate Judge
Name & Title of Judicial Officer

at

Trenton, New Jersey
City and State


Signature of Judicial Officer

ATTACHMENT A

I, Barrett Hyde, am a Special Agent with the United States Bureau of Alcohol, Tobacco, Firearms and Explosives. 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 items of 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, I am asserting that it took place on or about the date alleged.

1. On or about October 5, 2014, in the early morning, law enforcement officers responded to a call from the residence of defendant JOHN LAFERGOLA, during which they learned that defendant LAFERGOLA was alleged to have pointed a handgun at another member of his household. Pursuant to that investigation, defendant LAFERGOLA consented to a search his residence, which revealed that defendant LAFERGOLA was in possession of approximately 72 firearms and dozens of other firearms components, ammunition, accessories, and manufacturing tools.

2. In particular, approximately 36 of the items that defendant LAFERGOLA possessed were later determined to be "machine guns," as discussed in more detail in paragraph 3 below. Of those 36 machine guns, approximately 13 were found to be operational as automatic weapons, including, but not limited to, the following, each of which was found to have been assembled out of separate components, including a machinegun receiver of unknown origin:

- a. A 9 mm Luger caliber, FBP M948-type firearm, approximately 31 ½ inches in length, and bearing no serial number nor manufacturer's marks of identification, as required by 26 U.S.C. § 5842;
- b. A 9 mm Luger caliber, Suomi M31-type firearm, approximately 34 inches in length, and bearing no manufacturer's marks of identification, as required by 26 U.S.C. § 5842; and
- c. A 7.62x25 mm caliber, M56-type firearm, approximately 34 ½ inches in length, and bearing no serial number nor manufacturer's marks of identification, as required by 26 U.S.C. § 5842.

3. An examination of the firearms and firearms components referenced in paragraph 2 revealed that each was a "machine gun" as defined in 26 U.S.C. § 5845(b), which is incorporated by reference by 18 U.S.C. § 921(a)(23). That is, each of the firearms was a weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger, and included the frames and receivers for such weapons.

4. Defendant LAFERGOLA also was found to be in possession of approximately three short-barreled rifles, including one that had an obliterated serial number; approximately two silencers; and items determined by local law enforcement to be non-smoke gunpowder, fuses, other materials that could be used to make explosive devices, and explosive devices.

5. Defendant LAFERGOLA was placed under arrest. In a post-arrest, recorded statement, after being advised of his *Miranda* rights, defendant LAFERGOLA stated, in substance and in part, that he had personally rewelded and built the receivers for many of the firearms recovered.