

UNITED STATES DISTRICT COURT

for the

District of New Jersey

United States of America

v.

Daniel Garcia Jr.

Case No. 24-mj-4061 (MJS)

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 June 23 - 24, 2024 in the county of Burlington in the
District of New Jersey, the defendant(s) violated:

Code Section

Description of Offenses

21 USC 841(a)(1) and (b)(1)(A)

See Attachment A.

18 USC 922(g)

This criminal complaint is based on these facts:

See Attachment B.

☒ Continued on the attached sheet.

Paola Gonzalez

Complainant's signature

Special Agent Paola Gonzalez, DEA

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by

telephone _____ *(specify reliable electronic means).*

Date: 09/20/2024

Matthew J. Skahill

Judge's signature

City and state: Camden, New Jersey

Matthew J. Skahill, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

COUNT ONE

Possession with Intent to Distribute Over 50g of Methamphetamine

From on or about June 23, 2024, to on or about June 24, 2024, in Burlington County, in the District of New Jersey, and elsewhere, the defendant,

DANIEL GARCIA JR.,

did knowingly and intentionally possess with intent to distribute over 50 grams of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A).

COUNT TWO

Possession of a Firearm by a Felon

From on or about June 23, 2024, to on or about June 24, 2024, in Burlington County, in the District of New Jersey, and elsewhere, the defendant,

DANIEL GARCIA JR.,

knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess firearms, those are, a Taurus 608/Tracker .357 magnum revolver, s/n UK915797, a Taurus GC2 semi-automatic 9mm handgun, s/n TLP089280, and a Sarsilmaz SAR-2 9mm semi-automatic handgun, with a defaced serial number, said firearms having been shipped and transported in interstate commerce.

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

ATTACHMENT B

1. I, Paola Gonzalez, am a Special Agent (SA) with the Drug Enforcement Administration (DEA). The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested Criminal Complaint. It does not set forth all my knowledge about this matter nor does it identify all information 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. Similarly, where events are described with reference to dates and times, the events should be read as having occurred on or about, or at or about, the dates and times referenced.

2. On June 23, 2024, at approximately 12:35p.m., INDIVIDUAL-1 called 911 and stated they were rushing MINOR-1 to the hospital because MINOR-1 was not breathing. At that time, the defendant, Daniel GARCIA Jr., was driving INDIVIDUAL-1 and MINOR-1 to the hospital in a white Jeep Grand Cherokee.

3. Both INDIVIDUAL-1 and GARCIA later told law enforcement officers that they lived with MINOR-1 at their shared residence in Maple Shade, Burlington County. According to INDIVIDUAL-1, GARCIA had just finished feeding MINOR-1 when MINOR-1 started acting oddly. At first, MINOR-1 raised their hands in the air and started rocking back and forth. INDIVIDUAL-1 tried to get MINOR-1's attention, but MINOR-1 did not respond. Eventually, MINOR-1 became unresponsive, had a seizure, and started drooling just before MINOR-1's lips turned blue. INDIVIDUAL-1 said they thought that MINOR-1 might be choking and tried to use an anti-choking device that had no effect. INDIVIDUAL-1 and GARCIA then rushed MINOR-1 to the hospital.

4. When GARCIA and INDIVIDUAL-1 arrived at the hospital, medical staff began life saving treatment on MINOR-1, including defibrillating MINOR-1 at least twice to restart MINOR-1's heart. MINOR-1 was then transferred via helicopter to a children's hospital, where life-saving treatment continued. MINOR-1 survived and was later discharged from the children's hospital.

5. As part of MINOR-1's medical treatment, their urine was screened for controlled substances. The tests returned positive results for benzodiazepine, fentanyl, and cocaine. Medical personnel at the children's hospital informed law enforcement officers that MINOR-1 had been administered benzodiazepine and fentanyl during medical treatment, but that cocaine had not been administered. A doctor at the children's hospital also informed law enforcement officers that

MINOR-1's symptoms, including seizure, cardiac arrest, and cardiac arrhythmia, were all symptoms of a cocaine overdose.

6. On June 24, 2024, law enforcement officers executed a search warrant issued by a Judge of the New Jersey Superior Court at GARCIA's Maple Shade, Burlington County residence. The residence is an apartment unit in a garden-style apartment complex. Inside the residence, law enforcement officers located approximately \$4,252 in cash, rubber bands consistent with those typically used in illegal drug packaging, an empty fold of paper consistent with illegal drug packaging, and an enveloping containing, *inter alia*, 9mm and .357 magnum ammunition. They also located vehicle financing paperwork in GARCIA's name for the white Jeep Grand Cherokee and copies of New Jersey Superior Court paperwork in GARCIA's name.

7. While the residence was being searched, a police K9 officer used his dog to conduct an open-air sniff of a black 2016 Nissan Altima with a Pennsylvania license plate that a law enforcement officer had previously observed GARCIA operating. The K9 officer, who had been trained for this purpose, reported that the dog indicated to the presence of the odor of narcotics. The vehicle was then towed to a secure law enforcement facility, where it was stored pending an application for a search warrant.

8. On June 25, 2024, a Judge of the New Jersey Superior Court issued a search warrant for the Altima. Upon searching the vehicle, law enforcement officers discovered a laundry bag in the trunk. Inside this laundry bag, the officers found a box that contained over \$150,000 cash, approximately 329.1g of 100% pure methamphetamine, 767g of cocaine, 41 amphetamine tablets, 102 alprazolam tablets, 272 oxycodone tablets, 2.6g of MDMA powder, 1,341g of marijuana, 9.9g of psilocin and psilocybin mushrooms, 192g of crystalline cutting agents commonly used for illegal drug preparation, three digital scales, and drug packaging material. These drug types and quantities have all been verified by testing at a DEA laboratory. Further, inside the laundry bag was a reusable grocery bag that contained a Taurus 608/Tracker .357 magnum revolver, s/n UK915797, a Taurus GC2 semi-automatic 9mm handgun, s/n TLP089280, and a Sarsilmaz SAR-2 9mm semi-automatic handgun with a defaced serial number. All three firearms were loaded at the time that they were located in the reusable grocery bag.

9. The frame of the Taurus 608/Tracker .357 magnum is stamped "MADE IN BRAZIL." The slide of the Taurus GC2 semi-automatic 9mm handgun is stamped "MADE IN BRAZIL." The slide and frame of the Sarsilmaz SAR-2 9mm semi-automatic handgun are each stamped "MADE IN TURKIYE." I have also

consulted with an ATF agent who reviewed photographs of the seized firearms. The ATF agent indicated that all three firearms were manufactured outside of New Jersey, and therefore had travelled in or affected interstate or foreign commerce prior to being recovered in New Jersey.

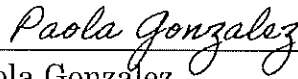
10. Law enforcement officers also reviewed surveillance video recordings from the apartment complex where GARCIA's residence is located. GARCIA had previously told law enforcement officers that he had returned to his residence, after dropping INDIVIDUAL-1 and MINOR-1 at the hospital, so that he could retrieve his wallet and cellphones. The recordings, however, showed additional activities by GARCIA at his residence. Specifically, the recordings showed GARCIA arriving at the apartment complex on June 23, 2024, at approximately 1:00 p.m., in the white Jeep Grand Cherokee. GARCIA parked the Jeep near his residence and then walked towards the residence and out of the view of the camera. A few minutes later, GARCIA was observed returning to the Jeep with a laundry bag over his shoulder and a box in his hand. GARCIA then placed the box in a nearby dumpster and placed the laundry bag in the rear of the Jeep. GARCIA was then observed driving the Jeep through the parking lot and stopping next to the black Altima. GARCIA was then observed removing the bag from the rear of the Jeep and placing the bag in the trunk of the Altima. GARCIA next drove the Altima to a different spot in the parking lot, further away from his residence, which is where law enforcement encountered the Altima on June 24. GARCIA then returned to the Jeep and left the apartment complex.

11. Based on my training and experience as a DEA agent and the facts of this case, including the quantity and diversity of the controlled substances that were seized, the amount of cash that was seized, the presence of three loaded firearms near the drugs, the presence of drug packaging materials and tools for drug packaging, such as digital scales, I believe that GARCIA possessed the controlled substances with the intent to distribute them to other persons.

(CONTINUED ON NEXT PAGE)

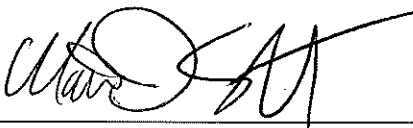
12. GARCIA is a convicted felon who is not permitted to possess firearms or ammunition. On January 14, 2019, GARCIA pleaded guilty in New Jersey Superior Court in Camden County to possession with intent to distribute a controlled substance and possession of a firearm while committing a drug trafficking offense. On March 8, 2019, GARCIA was sentenced to an aggregate sentence of five years' imprisonment for these crimes.

Respectfully submitted,



Paola Gonzalez
Special Agent
Drug Enforcement Administration

Pursuant to Fed. R. Crim. P. 4.1, Special Agent Gonzalez was sworn and attested to the contents of this affidavit in support of the criminal complaint.



HON. MATTHEW J. SKAHILL
United States Magistrate Judge

Date: September 20, 2024