
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Tonianne J. Bongiovanni
:
v. : Magistrate No. 24-3048 (TJB)
:
JOSE COLON-MATOS : **CRIMINAL COMPLAINT**

I, Stephen Rabena, 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 Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached pages and made a part hereof.

S/ STEPHEN RABENA

Stephen Rabena, Special Agent
Federal Bureau of Investigation

Attested to by telephone pursuant to
Fed. R. Crim. P. 4.1 on December 27, 2024,
in the District of New Jersey.



Hon. Tonianne J. Bongiovanni
United States Magistrate Judge

ATTACHMENT A

COUNT ONE

(Felon in Possession of a Firearm)

On or about May 15, 2024, in Mercer County, in the District of New Jersey, and elsewhere, the defendant,

JOSE COLON-MATOS,

knowing that he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year in a court in the State of New Jersey, did knowingly possess firearms, namely, (i) a Beretta, Model 8045F Cougar, .45 caliber semiautomatic pistol, bearing serial number 055193MC, which was loaded with eight rounds of ammunition in its magazine, and (ii) a Walther, Model PPQ 22LR, .22 Long Rifle caliber, semiautomatic pistol with an obliterated serial number, which was loaded with 12 rounds of ammunition in its magazine, and the firearms were in and affecting commerce.

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

COUNT TWO

(Possession with the Intent to Distribute Fentanyl)

On or about May 15, 2024, in Mercer County, in the District of New Jersey, and elsewhere, the defendant,

JOSE COLON-MATOS,

did knowingly and intentionally possess with the intent to distribute a quantity of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (“fentanyl”), a Schedule II controlled substance.

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

COUNT THREE

(Possession with the Intent to Distribute Cocaine)

On or about May 15, 2024, in Mercer County, in the District of New Jersey, and elsewhere, the defendant,

JOSE COLON-MATOS,

did knowingly and intentionally possess with the intent to distribute a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

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

COUNT FOUR

(Possession of a Firearm in Furtherance of a Drug Trafficking Crime)

On or about May 15, 2024, in Mercer County, in the District of New Jersey, and elsewhere, the defendant,

JOSE COLON-MATOS,

in furtherance of a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, namely, possession with intent to distribute controlled substances, as charged in Counts Two and Three, did knowingly possess firearms, namely, (i) a Beretta, Model 8045F Cougar, .45 caliber semiautomatic pistol, bearing serial number 055193MC, which was loaded with eight rounds of ammunition in its magazine, and (ii) a Walther, Model PPQ 22LR, .22 Long Rifle caliber, semiautomatic pistol with an obliterated serial number, which was loaded with 12 rounds of ammunition in its magazine.

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

ATTACHMENT B

I, Stephen Rabena, am a Special Agent with the Federal Bureau of Investigation. 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. Because this Affidavit is being submitted for a limited purpose, I have not set forth every fact that I know concerning this investigation. Where the contents of documents and the actions and statements of others are reported herein, they are reported in substance and in part, except where otherwise indicated. 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. Beginning in and around April 2024, in response to narcotics activity observed by law enforcement officers in the area, officers began investigating individuals suspected of distributing narcotics in and around the Winding Brook Apartment complex located on Bradford Avenue in Hamilton Township, New Jersey.

2. During the investigation, law enforcement officers observed the defendant, JOSE COLON-MATOS ("COLON-MATOS"), utilize a red Mercedes-Benz (the "Mercedes"), a grey Mazda CX-30, and a white Toyota Avalon (the "Toyota") to conduct narcotics sales, including the transportation in these vehicles of narcotics and narcotics proceeds, in Hamilton Township and elsewhere. Law enforcement officers also observed COLON-MATOS use an apartment located on Bradford Avenue in Hamilton Township (the "Apartment") to facilitate his narcotics trafficking activities.

3. On or about May 9, 2024, a Judge of the Superior Court of New Jersey, Mercer County, on an application of probable cause, authorized search warrants of the person of COLON-MATOS, the Mercedes, the Toyota, and the Apartment to obtain evidence related to narcotics activity observed by law enforcement officers in or around Hamilton Township, including as described in paragraph 2, above.

4. On or about May 15, 2024, law enforcement officers executed those warrants and conducted lawful searches of COLON-MATOS, the Mercedes, the Toyota, and the Apartment. Prior to the execution of the warrants, law enforcement officers observed COLON-MATOS outside of the Apartment and placed him under arrest for an outstanding municipal warrant. A lawful search of COLON-MATOS incident to his arrest revealed approximately \$1,151.00 in United States currency and a key ring containing various keys on COLON-MATOS' person. Officers seized the cash and key ring.

5. When law enforcement officers entered the Apartment to execute the search warrant, they encountered the registered occupant of the

Apartment, who was an acquaintance of COLON-MATOS (“Resident-1”). Resident-1 was placed under arrest due to an outstanding municipal warrant.

6. During the search of the Apartment, law enforcement officers recovered a wallet containing, among other things, a New Jersey driver’s license assigned to COLON-MATOS. Law enforcement officers also recovered a digital scale on an end-table near the front door entrance. The scale, which is consistent with narcotics weighing, packaging, and distribution activities, had residue of white powder on its surface. Under the same end-table where the scale was located, law enforcement officers recovered a small, black, gun-style safe that was locked.

7. Resident-1 volunteered to the law enforcement officers that COLON-MATOS had been living in the Apartment and identified certain dirty clothing located in the Apartment as the property of COLON-MATOS. Resident-1 further volunteered that the safe belonged to COLON-MATOS and that COLON-MATOS had the key to the safe on his person. Retrieving the key ring recovered from COLON-MATOS’ search incident to his arrest, law enforcement officers identified a key that unlocked the safe.

8. After opening the safe with this key, law enforcement officers discovered within the safe and seized the following items:

Firearms

- a. A Beretta, Model 8045F Cougar, .45 caliber semiautomatic pistol, bearing serial number 055193MC, which was loaded with eight rounds of ammunition in its magazine (the “Beretta”);
- b. A Walther, Model PPQ 22LR, .22 Long Rifle caliber, semiautomatic pistol with an obliterated serial number, which was loaded with 12 rounds of ammunition in its magazine (the “Walther”) (collectively, the “Firearms”);

Narcotics

- c. Two clear knotted plastic baggies each containing suspected crack cocaine, with an approximate weight of 30 grams (not including packaging);
- d. Two clear knotted plastic baggies each containing suspected cocaine, with an approximate weight of 29 grams (not including packaging);

- e. Two bricks of glassine folds each containing suspected heroin and/or fentanyl, both wrapped in blank white paper, with an approximate weight of 25 grams (including packaging);
- f. Two bundles of glassine folds each containing suspected heroin and/or fentanyl, and each stamped with "SUPREME FIRE" in red ink, with an approximate weight of five grams (including packaging);
- g. One bundle of glassine folds each containing suspected heroin and/or fentanyl, and each stamped with "BLUE MAX" in blue ink, with an approximate weight of two grams (including packaging) (collectively, the "Narcotics"); and

Currency

- h. Approximately \$9,000.00 in United States currency, in various denominations.

9. The Firearms recovered during the search of the Apartment were manufactured outside of the State of New Jersey, and, therefore, had traveled in commerce prior to their discovery in the Apartment on or about May 15, 2024.

10. The Narcotics were submitted to the New Jersey State Police, Office of Forensic Sciences for laboratory testing. Narcotics recovered in the plastic baggies and suspected to be cocaine tested positive for cocaine. Narcotics recovered in the glassine folds and suspected to be heroin and/or fentanyl tested positive for fentanyl.

11. A review of COLON-MATOS's criminal history reveals, as follows:

- a. On or about June 17, 2010, COLON-MATOS pleaded guilty in the Superior Court of New Jersey, Mercer County, to second-degree aggravated assault in violation of N.J.S.A. § 2C:12-1(b)(1), which is a crime punishable by imprisonment for a term exceeding one year. On or about August 12, 2010, COLON-MATOS was sentenced on this offense to a four-year term of imprisonment.
- b. On or about March 26, 2018, COLON-MATOS pleaded guilty in the Superior Court of New Jersey, Mercer County, to fourth-degree aggravated assault for pointing a firearm in violation of N.J.S.A. § 2C:12-1(b)(4), which is a crime punishable by imprisonment for a term exceeding one year. On or about June 29, 2018, COLON-MATOS was sentenced on this offense to an 18-month term of imprisonment.