

---

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

---

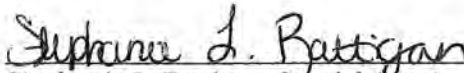
UNITED STATES OF AMERICA : **CRIMINAL COMPLAINT**  
 :  
 v. : Honorable Mark Falk  
 :  
 MILES MCCLOUD, : Mag. No. 18-3521  
 a/k/a "Smiles," a/k/a "Blue" :

I, Stephanie L. Rattigan, 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 Special Agent with the Federal Bureau of  
Investigation and that this complaint is based on the following facts:

**SEE ATTACHMENT B**

  
Stephanie L. Rattigan, Special Agent  
Federal Bureau of Investigation

Sworn to and subscribed in my presence, ESSEX COUNTY, NEW JERSEY  
This 5<sup>th</sup> day of March, 2018 County and State

HONORABLE MARK FALK  
UNITED STATES MAGISTRATE JUDGE

  
Signature of Judicial Officer

**ATTACHMENT A**

**COUNT ONE**

(Conspiracy to Distribute Heroin)

From in or around November 2016 through in or around February 2018,  
in Essex County in the District of New Jersey, and elsewhere, the defendant,

**MILES MCCLOUD,  
a/k/a "Smiles," a/k/a "Blue,"**

did knowingly and intentionally conspire and agree with others to distribute and possess with intent to distribute 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I 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**

(Possession with Intent to Distribute Heroin and Cocaine Base)

On or about February 23, 2017, in Essex County, in the District of New Jersey and elsewhere, the defendant,

**MILES MCCLOUD,  
a/k/a "Smiles," a/k/a "Blue,"**

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

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

## **ATTACHMENT B**

I, Stephanie L. Rattigan, am a Special Agent with the Federal Bureau of Investigation ("FBI"). I have knowledge of the following facts based upon both my investigation and discussions with other law enforcement personnel and others. Because this affidavit is being submitted for the sole purpose of establishing probable cause to support the issuance of a complaint, I have not included each and every fact that I know concerning this investigation. Where statements of others are related herein, they are related in substance and in part. 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.

### **The Investigation**

1. Since in or around November 2016, law enforcement has been investigating a drug trafficking organization ("DTO") that has been distributing heroin and other narcotics in or around the area of Hayes Street and 14th Avenue at the New Community Corporation community development ("NCC") in Newark, New Jersey. To date, the investigation has involved physical and video surveillance, dozens of audio and video-recorded controlled purchases of heroin, seizures of heroin and other controlled substances, and lawfully intercepted wire and electronic communications. To date, law enforcement officers have seized or recovered at least 100 grams of heroin from the DTO.

### **Narcotics Distribution at NCC**

2. Based on this ongoing investigation, law enforcement has determined that the DTO is comprised of members of the Brick City Brim set of the Bloods street gang ("BCB Bloods") and their criminal associates. The BCB Bloods set in NCC is led by CC-1. The DTO primarily operates its drug sales in and around NCC at a location coined by the DTO as the "desert." The desert is a courtyard area within NCC that sits along a pedestrian-only path, making surveillance by law enforcement particularly challenging. The courtyard sits approximately one block from 72 Hayes Street, at which address is a five-story building. The apartments of the building are connected by outdoor walkways that provide optimal vantage points and allow members of the DTO to alert their co-conspirators to the presence of law enforcement or rival gang members or drug dealers.

3. The heroin sold by the DTO has been packaged in glassine envelopes stamped or labeled with various "brands," thus allowing dealers and addicts alike to differentiate and market batches of heroin. For example, the investigation revealed that heroin stamped "Black Caesar" was popular among the DTO members and their customers alike.

#### **Controlled Buys of Heroin from DTO Members**

4. Between on or about December 6, 2016, and on or about February 8, 2018, the FBI has conducted numerous controlled purchases of heroin, and in some cases, other narcotics, in and around NCC, including from MILES MCCLOUD, a/k/a "Smiles," a/k/a "Blue" ("MCCLOUD"). The FBI has used more than one cooperating witness ("CWs") for these purchases. Prior to each controlled purchase, law enforcement officers outfitted each CW with an audio-video recording device, provided the CW with United States currency with which to conduct the controlled purchase, and ensured that the CW did not have any unauthorized contraband or currency before and after each controlled purchase. The FBI's controlled purchases with MCCLOUD are outlined in the chart below.

<b>Date</b>	<b>Amount Purchased</b>	<b>Stamp</b>	<b>Price Paid</b>
12/15/16	50 decks <sup>1</sup> (1 brick)	President	\$240
12/21/16	50 decks (1 brick)	Delicious	\$230
1/17/17	30 decks (3 bundles)	Black Caesar	\$160
2/23/17	30 decks (3 bundles)	Imperial	\$160

5. The substances purchased from MCCLOUD subsequently field-tested positive for heroin. In addition, subsequent laboratory testing confirmed that the substances purchased from MCCLOUD were heroin and weighed approximately 1.73 grams, 1.41 grams, 0.82 grams, and 0.99 grams, respectively.

6. In addition, during the February 23, 2017, controlled purchase, the CW also purchased approximately four vials with pink tops containing suspected cocaine base, or "crack" cocaine, from MCCLOUD in exchange for \$40. The substance purchased from MCCLOUD subsequently field-tested

<sup>1</sup> A "deck" of heroin commonly refers to a single-dose packet; or glassine envelope, of heroin. A "bundle" of heroin commonly refers to approximately 10 decks of heroin, often packaged together. A "brick" of heroin commonly refers to approximately 50 decks, or 5 bundles, of heroin, often packaged together.

positive for crack cocaine. Subsequent laboratory testing confirmed that the substance was crack cocaine and weighed approximately 0.38 grams.

### **The Narcotics Conspiracy**

7. Based on the ongoing investigation and as discussed above, law enforcement has determined that, in addition to selling narcotics within NCC and alerting each other to police presence within NCC, DTO members have shared narcotics, narcotics proceeds, and customers with one another. DTO members have also pooled money together to raise bail money for each other following an arrest.

#### *Shared Narcotics*

8. On or about November 19, 2017, CC-2 and CC-12 exchanged several lawfully intercepted text messages. In the text messages, CC-12 asked "U got smac"? (CC-12 was asking CC-2 if he had heroin). CC-2 responded "Yea." CC-12 replied, "Wuts the name I'm lookin' for sum." (CC-12 was saying that he wanted to obtain heroin and asked for the name of the stamp representing a particular brand of heroin.) CC-2 responded "Black" (referring to the heroin stamp "Black Caesar," which the investigation has revealed was a popular heroin stamp at NCC). CC-12 asked, "Can I buy one off u" (asking CC-2 to sell him one brick of heroin). CC-2 responded that he "Got it from [CC-10]" (telling CC-12 that CC-10 had provided CC-2 with the heroin). CC-12 asked, "How much he give it to u for"? (CC-12 was asking how much CC-2 had paid CC-10 for the brick of heroin.) CC-2 responded "190" (saying he had paid CC-10 \$190 in exchange for the brick of heroin).

9. On or about January 15, 2018, at approximately 3:18 p.m., CC-4 called CC-1. During the lawfully intercepted conversation, CC-4 said "somebody had a 2 and some bags yo I ain't got the money for it tho" (saying that somebody was selling narcotics but that CC-4 did not have enough money to purchase the narcotics). CC-1 asked, "Who got it" (asking who was selling the narcotics). CC-4 said that he did not "know the n\* that got it." CC-1 asked for CC-4's whereabouts. CC-4 responded that he was "in the building" (likely at 72 Hayes). CC-1 asked where the seller was. CC-4 said "by the back door." CC-1 responded, "Alright well get the s\* get the money [UI]" (instructing CC-4 to purchase the narcotics and somehow obtain the money for it). CC-1 said "get it from [another co-conspirator] or one of them, I'll get 'em right back" (instructing CC-4 to obtain the money to purchase the narcotics from another DTO member and that CC-1 would reimburse that individual). CC-4 said, "None of them out there." CC-1 asked, "What about [another co-conspirator] or [CC-3]" (referring to other DTO members). CC-1 asked, "Who that right there you talking to?" CC-4 responded that it was MCCLOUD. CC-1 said, "Tell Miles to give you \$60 real quick, put him on" (instructing CC-4 to ask MCCLOUD for \$60 and asking to speak to MCCLOUD). MCCLOUD came on the line, and CC-

1 said, "give him \$60 for me real quick." MCCLOUD asked, "Who, [CC-4]?" CC-1 said, "Yeah, I'm gonna give it right back, bro" (promising to reimburse MCCLOUD for the loan to CC-4 for the purpose of purchasing narcotics). CC-1 said he was "on my way down there" (to NCC). CC-4 came back on the line, and CC-1 told him, "Just grab it, Miles give it to you" (instructing CC-4 to get the \$60 to buy narcotics from MCCLOUD).

#### *Shared Narcotics Proceeds*

10. On or about November 15, 2017, at approximately 10:02 a.m., CC-2 called CC-11. During the lawfully intercepted telephone conversation, CC-2 informed CC-11 that "[CC-12] and uh, they went to the desert." CC-11 responded that he had "been down that motherf\* all morning." (CC-11 was saying that he had been at NCC in connection with his narcotics trafficking activities earlier that day.) CC-2 asked for CC-11's whereabouts that morning because CC-2 "came out at like 8:30" and didn't see CC-11. CC-11 responded, "I've been out there since 8 o'clock, I left at 9. Ask [CC-3]." (CC-11 was saying that he had been at NCC for an hour between 8 and 9 a.m. and instructed CC-2 to ask CC-3 to corroborate CC-11's version of that morning's narcotics trafficking activities.) CC-2 confirmed that "[CC-3] there, 'cause I see [CC-3] just left." CC-11 agreed that "[CC-3] there, everyone is out." (CC-11 was commenting that CC-3 and others were selling narcotics at NCC that morning.) CC-2 said, "[CC-12] said [CC-1] came out tweeking on [CC-3] this morning." (CC-2 was telling CC-12 that CC-1 had gotten upset with CC-3 that morning.) CC-2 added that CC-1 had said "how the f\*, n\*? You owe me money for two bricks. Like you paid [CC-10] before you paid me . . . ." (CC-2 was saying that CC-1 was yelling at CC-3 because CC-3 owed CC-1 money for two bricks of heroin but had repaid a debt CC-3 separately owed to CC-10, first.)

#### *Shared Customers*

11. On or about November 9, 2017, at approximately 8:22 p.m., CC-2 called CC-5. During the lawfully intercepted telephone conversation, CC-2 asked CC-5 if he was "still out there" (CC-2 was asking if CC-5 was still engaged in narcotics trafficking activities). CC-5 responded yes. CC-2 asked, "you got cook?" ("Cook" commonly refers to cocaine base, or "crack" cocaine. CC-2 was asking whether CC-5 had any crack cocaine.) CC-5 responded yes. CC-2 said that his customer was about to "pull by the garbage can" (where CC-2 had previously told his customer to meet him) in approximately two minutes and wanted "three" (referencing vials of crack). CC-5 told CC-2 to tell CC-2's customer to meet CC-5 in the parking lot on Newton Street in Newark, in the area of NCC.



#### *Awareness of Police Presence at NCC*

12. On or about November 7, 2017, at approximately 2:10 p.m., CC-2 called CC-10. During the lawfully intercepted telephone conversation, CC-2 asked CC-10 for his whereabouts. CC-10 said that he was in the "building," and that they had to go inside because "they pulled in the front." (CC-10 was informing CC-2 that he and other DTO members had to go inside a building because the police had pulled up in front, likely where he and others had been selling narcotics.) CC-10 said he would call CC-2 "[a]s soon as they leave" (referring to the police). CC-10 said that "the police pulled in the front parking lot" (CC-10 was informing CC-2 about the whereabouts of law enforcement). He said, "They didn't come in, but we seen them come in, so we got low." (CC-10 was informing CC-2 that the police had not come inside the building, but that he and others had seen the police approach the building so they hid to avoid detection.)

13. Shortly thereafter, CC-10 sent CC-2 the following lawfully intercepted text message: "We good now come on." (CC-10 was informing CC-2 that the police had left the area and that it was now safe to resume their narcotics trafficking activities.)

14. On or about December 28, 2017, at approximately 9:57 p.m., a criminal associate ("UM-1") called CC-1. During the lawfully intercepted telephone conversation, UM-1 said he was downstairs. CC-1 asked if "the boys in there?" (referring to the police). UM-1 said he was "about to pull in there." CC-1 said, "The boys in there. Don't pull in there. They sittin' in the parking lot right there, ya heard?" (CC-1 was warning UM-1 that the police were in the parking lot and not to pull in.) CC-1 said "right there they sittin' with the [UI] light you gonna see them, watch." UM-1 said he "ain't seein' s\*, my s\* is good, bro." (UM-1 was saying that he did not see the police and he was not going to get caught by law enforcement). UM-1 told CC-1 to come outside.

#### *Pooled Bail Money*

15. On or about January 31, 2018, at approximately 2:57 p.m., CC-1 called MCCLOUD. During the lawfully intercepted telephone conversation, CC-1 asked "how much money, you had gave me for [CC-9]?" (asking MCCLOUD how much MCCLOUD had contributed toward CC-9's bail money). MCCLOUD responded, "I forgot, I think it was like \$200." MCCLOUD asked, "Oh you finally got your bail money back?" CC-1 replied, "I'm about to get it back. She's about to bring it to me. Imma give your money back today." (CC-1 was stating that someone was going to return CC-1 the money that CC-1 and other DTO members had contributed toward CC-9's bail.)



### Violence at NCC

16. DTO members have also engaged in violence and been the subject of violence in connection with their narcotics trafficking activities. DTO members have warned one another about the presence of not just police in and around NCC, but also of rival gang members or drug dealers in and around NCC. For example:

- a. On or about November 10, 2017, at approximately 10:38 a.m., CC-2 called a criminal associate ("UM-2"). During the telephone conversation, CC-2 told UM-2 that a fellow DTO member had "done gone hit up" that morning. (CC-2 was informing UM-2 about an acquaintance that had been shot).<sup>2</sup> CC-2 asked UM-2 if he knew anything about the shooting. UM-2 said that he did not know. CC-2 surmised that the shooter(s) could have been "from the hood" (friendly fire from within NCC) or could have come from a rival drug trafficking organization. UM-2 responded that he thought it "came from the hood" (someone within NCC). CC-2 thought that the shooting had involved a dispute over "territory" (referring to control of certain areas used for narcotics sales). CC-2 asked UM-2 to come to the "desert."
- b. On or about November 13, 2017, at approximately 8:21 a.m., CC-2 called an unidentified individual ("UF-1"). During the telephone conversation, CC-2 and UF-1 discussed why a criminal associate had been shot.<sup>3</sup> UF-1 asked if "he's beefin' with [UI], why the f\* would he go down there"? (UF-1 was asking why the victim of the shooting would travel to a particular area if the victim was engaged in a dispute with someone from that area.) CC-2 responded, "they tryna say he's beefing with our side. Like his side beefin' with our side, like [CC-1] and all us . . . beef with they side." (CC-2 was saying that the victim's "side" was known to be in a territorial dispute with CC-2 and his associates, including CC-1.) UF-1 added that her friend had said "that's crazy, 'cause [the victim] always had the strap on him." (UF-1 was saying that her friend could not believe the victim had been shot because he always carried a firearm.)

---

<sup>2</sup> Police reports confirm that an individual was shot multiple times on or about November 10, 2017, at approximately 6:00 a.m. in Newark.

<sup>3</sup> Police reports confirm that the individual CC-2 and UF-1 were discussing was shot multiple times on or about October 28, 2017. The victim died several days later as a result of the shooting.

- c. On or about December 1, 2017, CC-2 called CC-6. During the lawfully intercepted telephone conversation, CC-2 said, "Hey yo, there's an Audi on the set. N\*s like they on some bulls\*. Watch that s\*. There's like three four n\* in there—" (referring to three or four individuals from a rival DTO who were present in the DTO's territory, *i.e.*, NCC, in an Audi and warning CC-6 to watch out). CC-6 asked, "What color?" (referring to the car the individuals were driving). CC-2 responded, "Black, on the set. [UI] . . . Jones Street. Went on 14th Ave [UI]. Had the passenger window down, [UI] ski masks on their head [UI]." (CC-2 was saying that the individuals were in a black car with the passenger window down in front of an apartment complex located on Jones Street and drove away on 14th Avenue. CC-2 was identifying the individuals as wearing ski masks on their head to conceal their identity for purposes of a shooting.)
- d. On or about January 7, 2018, at approximately 1:16 p.m., CC-7 called CC-1. During the lawfully intercepted telephone conversation, CC-7 asked if CC-1 was "in the house." CC-1 said, "Yeah, I'm 'bout to come out right now." CC-7 responded, "yo, yo, stay, be on footy yo, them . . . n\*s [UI] goin' round though. Ya heard? . . . I ain't talkin' 'bout the police either." (CC-7 was telling CC-1 not to leave the house because some rivals were in the area.) CC-1 asked, "what the f\* happened?" CC-7 responded, "old boy and them n\*s came through. I don't wanna talk over the phone but, you watch your a\* [UI], they in a black Audi. Truck, a black Audi truck. N\*s roll past the back [UI] lookin' in that s\* and everythin'." (CC-7 was saying that the rivals were driving in a black Audi truck, potentially with firearms, in the area and warned CC-1 to be careful.) CC-1 asked "what they say." CC-7 responded that "they ain't say s\*." Law enforcement subsequently learned that three days later, specifically on or about January 10, 2018, at approximately 1:29 p.m., CC-7 was shot in the arm.
- e. On or about January 21, 2018, at approximately 3:55 p.m., a criminal associate ("UM-4") called CC-1. During the lawfully intercepted telephone conversation, in the background, an individual can be heard saying the word "black" (referring to the heroin stamp "Black Caesar"). UM-4 said, "You look like you had the mean, a mean attitude." CC-1 responded, "Yeah man. That n\*—I had hollered at the n\*. He [UI], he did the right thing." (CC-1 was stating that he had spoken to CC-7 regarding the January 10, 2017

shooting and that CC-7 had done "the right thing" by not cooperating with law enforcement.) UM-4 asked, "How many times he had got hit?" (referring to CC-7's shooting). CC-1 replied, "Once, in the arm." UM-4 asked, "You know who it was?" CC-1 said, "Yeah, I guess. I don't . . . [UI]" (feigning ignorance regarding who was responsible for the shooting but declining to say the name over the phone).

### **Seizures of Heroin in and around NCC**

17. Law enforcement has made numerous seizures of heroin in and around NCC, specifically in the area of 72 Hayes Street, as set forth below.

#### *November 21, 2017 Seizure*

18. On or about November 21, 2017, at approximately 5:55 p.m., law enforcement conducted a raid of NCC, specifically of 72 Hayes Street. As law enforcement approached 72 Hayes Street, law enforcement saw individuals discard suspected narcotics and run into apartments.

19. Law enforcement received a tip that CC-10 ran into an apartment (the "Apartment") and was armed with a firearm. Pursuant to a lawful search of the Apartment, law enforcement recovered, among other items, a firearm, approximately \$10,000 in United States currency, as well as over 50 prepackaged bricks of suspected heroin and dozens of loose decks of suspected heroin. Specifically, approximately 21 bricks and 11 decks were stamped "999" in purple ink, approximately 18 bricks and 22 decks were stamped "Stampede" in red ink, approximately six bricks and 45 decks were stamped "Fire in the Hole" in green ink, approximately one brick and 29 decks were stamped "Masterpiece" in red ink, approximately 48 decks were stamped "Forever 21" in purple ink, approximately five decks were stamped "Apple" in green ink, approximately 22 decks were stamped "NBA" in red ink, approximately 90 decks were stamped in illegible purple ink, and approximately 34 decks were stamped in illegible black ink. Law enforcement subsequently randomly selected and field-tested the substance from one deck, which tested positive for heroin. Law enforcement also found CC-10 in the Apartment near some of the bricks of heroin that were seized. CC-6 and another individual were also hiding in the Apartment.

#### *December 3, 2017 Seizures*

20. On or about December 3, 2017, at approximately 9:00 a.m., Newark Police Department ("NPD") officers were patrolling the area of 72 Hayes Street. NPD officers observed three individuals, later identified as CC-2, CC-9, and CC-14, on the third floor walkway of the building. NPD officers observed that all three individuals attempted to conceal unknown items after noticing

the police. Specifically, an NPD officer observed CC-14 remove an item from his front pants pocket, throw it into the garbage chute near the stairwell, and walk away. CC-2 also walked away while concealing an item in his waistband. CC-9 walked toward an apartment and concealed an item into his fanny pack. NPD officers detained the individuals.

21. Law enforcement officers saw that CC-2 had a clear plastic bag sticking out of his waistband, which was found to contain approximately 139 decks of suspected heroin, several of which displayed the same stamp and colored markings as the heroin seized on November 21. For instance, approximately 80 decks were stamped in black ink and approximately 59 decks were stamped "Masterpiece" in red ink. CC-2 was placed under arrest. Pursuant to a search incident to CC-2's arrest, NPD recovered, among other items, approximately \$232 in United States currency.

22. Meanwhile, law enforcement officers also noticed that CC-9 was in possession of an open fanny pack containing a plastic bag of suspected heroin, which a subsequent search revealed contained approximately 441 decks of suspected heroin stamped in black ink. CC-9 was arrested. Pursuant to a search incident to CC-9's arrest, NPD also recovered, among other items, approximately \$285 in United States currency.

23. When CC-14 was patted down for officer safety, the officer felt a small square item, which he recognized from his training and experience to be a bundle of suspected heroin decks. A subsequent search of CC-14 revealed that CC-14 was in possession of approximately ten decks of suspected heroin stamped "Masterpiece" in red ink. NPD officers also searched the garbage storage area associated with the location where CC-14 was seen throwing away an item and recovered approximately 15 decks of suspected heroin stamped "Masterpiece" in red ink. CC-14 was arrested. Pursuant to a search incident to arrest, NPD also recovered, among other items, approximately \$554 in United States currency.

24. On or about December 3, 2017, at approximately 1:30 p.m., NPD officers were patrolling the NCC area in an unmarked police vehicle. NPD observed CC-3 hand a small item to a second individual ("Buyer 1") in exchange for U.S. currency. Based upon their training and experience, NPD believed that a hand-to-hand narcotics transaction had just occurred between CC-3 and Buyer 1. A short while later, NPD observed CC-6 hand a small item to another individual ("Buyer 2") in exchange for U.S. currency. Based upon their training and experience, NPD believed that a hand-to-hand narcotics transaction had just occurred between CC-6 and Buyer 2. NPD placed Buyer 2 under arrest and recovered approximately three glassine envelopes of suspected heroin, which were stamped "Masterpiece" in red ink.

25. CC-3 saw the police and fled. NPD chased CC-3. While in pursuit, officers saw CC-3 discard an item, which was subsequently recovered and found to contain approximately 20 glassine envelopes of suspected heroin, which were stamped "Masterpiece" in red ink—the same stamp that had been seized earlier that morning as well as on November 21. NPD was able to detain CC-3 and place him under arrest. Pursuant to a search incident to arrest, NPD recovered from CC-3 approximately \$88 in United States currency. NPD also detained CC-6 and placed him under arrest. Pursuant to a search incident to arrest, NPD recovered from CC-6 approximately six glassine envelopes of suspected heroin, which were stamped "Masterpiece" in red ink, and approximately \$389 in United States currency.

26. On or about December 3, 2017, at approximately 5:30 p.m., NPD officers were canvassing the area of 72 Hayes Street. On the fourth floor internal balcony of the building, NPD officers observed a folding chair, next to which were several plastic bags. NPD officers searched the plastic bags. From within one of the plastic bags, NPD officers recovered, among other items, approximately 242 decks of suspected heroin stamped in illegible black ink and approximately 18 decks of suspected heroin stamped "Fire in the Hole" in green ink—the same stamps and color markings as some of the heroin seized on November 21. NPD officers subsequently field-tested the substances from one deck stamped in black ink and one deck stamped in green ink, both of which tested positive for heroin.

#### *December 23, 2017 Seizure*

27. On or about December 23, 2017, at approximately 1:45 p.m., NPD officers in plainclothes and unmarked police vehicles were patrolling the area of 72 Hayes Street. NPD officers observed an individual, later identified as CC-14, exchange several small items with another individual ("Buyer 3"), in exchange for United States currency. NPD officers recognized the exchange as a narcotics transaction from their training and experience. When the officers identified themselves as police, both CC-14 and Buyer 3 began to run away up the stairs. Buyer 3 dropped two decks of suspected heroin on the second floor balcony of the building and was placed under arrest. Both decks were stamped "Murder 1" in red ink.

28. Meanwhile, an NPD officer observed CC-14 throw several small items over the railing of the staircase, which were subsequently recovered and found to contain approximately eight decks of suspected heroin stamped "Murder 1" in red ink. NPD officers also observed CC-14 reaching into the trash chute on the second floor of the building. Following a search of the chute, NPD officers located two lock boxes within the chute containing approximately 16 decks of suspected heroin stamped "Murder 1" in red ink. CC-14 was arrested. Pursuant to a search incident to arrest, NPD officers recovered, among other items, approximately \$708 in United States currency

and a set of car keys, in CC-14's pocket. NPD officers verbally administered *Miranda* warnings to CC-14 and asked whether there were additional narcotics in the trash chute or in CC-14's car. CC-14 admitted that there were additional narcotics in his car and signed a consent to search form. Pursuant to the search of CC-14's car, NPD officers recovered, among other items, approximately 330 decks of suspected heroin all stamped "Murder 1" in red ink from the center console. NPD officers located approximately 30 additional decks of suspected heroin stamped "Murder 1" in red ink from within a third lock box in CC-14's car. NPD randomly selected and field-tested one deck, which tested positive for heroin.