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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA : SUPERSEDING  
 : CRIMINAL COMPLAINT  
 v. :  
 : Magistrate No. 18-6533  
 AZIA SINCLAIR, :  
 SHYHEIM TYSON, a/k/a "Shy," and :  
 TESORA AMANDA CORTES TREJOROJAS :

I, Christopher O'Brien, being duly sworn, state the following is true and correct to the best of my knowledge and belief. From on or about November 1, 2017 to at least on or about November 12, 2017, in Essex County, in the District of New Jersey and elsewhere, defendants

AZIA SINCLAIR,  
SHYHEIM TYSON, a/k/a "Shy," and  
TESORA AMANDA CORTES TREJOROJAS

did knowingly and willfully conspire and agree with each other and with others, while not being licensed importers, manufacturers, dealers, and collectors of firearms within the meaning of Chapter 44 of Title 18, United States Code, to transport into and receive in the State of New Jersey, where AZIA SINCLAIR and SHYHEIM TYSON, a/k/a "Shy" then resided, firearms purchased and otherwise obtained outside the State of New Jersey,

contrary to Title 18, United States Code, Section 922(a)(3).

In violation of Title 18, United States Code, Section 371.

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

SEE ATTACHMENT A

Continued on the attached pages and made a part hereof

  
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Christopher O'Brien, Special Agent  
Bureau of Alcohol, Tobacco, Firearms  
and Explosives

Sworn to before me and subscribed  
in my presence, on this 10<sup>th</sup> day of  
April, 2018, in Newark, New Jersey

HONORABLE MICHAEL A. HAMMER  
United States Magistrate Judge

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

## ATTACHMENT A

I, Christopher O'Brien, am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives and 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 photographs of the evidence. Where statements of others are related herein, they are related in substance and 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 November 1, 2017, defendant AZIA SINCLAIR ("SINCLAIR"), who at the time was a resident of New Jersey, began a text conversation with her cousin, defendant TESORA AMANDA CORTES TREJOROJAS ("TREJOROJAS") who at the time was a resident of Norfolk, Virginia and on active duty in the United States Navy. SINCLAIR asked if TREJOROJAS had a gun license. TREJOROJAS responded that she did not need a license to purchase a firearm because she was in the military. SINCLAIR replied that she wanted to obtain a firearm but that it was taking too long for her to get a license to do so. SINCLAIR then texted, "But I would come down there to you" to obtain any firearms from TREJOROJAS. SINCLAIR also texted that she would see when she could take some time off to drive down to see TREJOROJAS.

2. On or about November 2, 2017, SINCLAIR sent a text to TREJOROJAS advising that she and her boyfriend SHYHEIM TYSON, a/k/a "Shy" ("TYSON"), who at the time was a resident of New Jersey, might travel from New Jersey the following weekend to meet with TREJOROJAS in Virginia "so we can look at the stuff I was talking about yesterday," specifically, firearms. SINCLAIR then asked TREJOROJAS if she knew of any gun stores in Virginia, and TREJOROJAS responded, "Yeah I'm getting one on the 15<sup>th</sup>." The two continued to text each other about firearms, with TREJOROJAS texting photographs of firearms that TREJOROJAS owned, as well as photographs of firearms that TREJOROJAS wanted to purchase in the future.

3. On or about November 5, 2017, SINCLAIR sent a text to TREJOROJAS which read, "My sister said if she give me the money would you mind getting her some too," to which TREJOROJAS responded, "Lol a gun?" SINCLAIR replied, "Yea I told her how ima get one and her crazy ass got excited like tell cousin I want some too." SINCLAIR then texted that she would be traveling to Norfolk, Virginia to visit TREJOROJAS during the upcoming weekend.

4. In the late evening hours of November 10, 2017, SINCLAIR and TYSON began driving from New Jersey to Norfolk, Virginia. During the drive, SINCLAIR

sent a text informing TREJOROJAS that she had obtained money from her sister with which to purchase at least one firearm. SINCLAIR then asked TREJOROJAS about prices of guns.

5. In the early morning hours of November 11, 2017, SINCLAIR and TYSON arrived at TREJOROJAS's residence in Norfolk, Virginia. Later that day, the three visited a gun store in Norfolk, Virginia (the "Gun Store"). While at the Gun Store, SINCLAIR selected six semiautomatic handguns for TREJOROJAS to purchase for her and TYSON.

6. After the handguns were selected, TREJOROJAS completed an ATF Form 4473 (Firearms Transaction Record) in connection with the firearms purchase. For question 11a of the ATF Form 4473, which asks, "Are you the actual transferee/buyer of the firearm(s) listed on this form?" TREJOROJAS answered "Yes," even though she was not the actual purchaser of the firearms.

7. While at the Gun Store, SINCLAIR and TYSON provided a sum of United States currency to TREJOROJAS with which to purchase the handguns. However, when it came time to pay, it was determined that SINCLAIR and TYSON had not provided TREJOROJAS with enough money to pay for all six of the handguns. Ultimately, the parties purchased five handguns (three Smith & Wesson M&P 40 Shield .40 caliber semiautomatic handguns, and two Smith & Wesson M&P 9 Shield 9-millimeter semiautomatic handguns), 100 rounds of .40 caliber ammunition, and 100 rounds of 9-millimeter ammunition.

8. Upon the conclusion of the transaction, TREJOROJAS, SINCLAIR, and TYSON returned to TREJOROJAS's residence in Norfolk with the five handguns and ammunition.

9. On or about November 12, 2017, SINCLAIR and TYSON drove back to New Jersey with the five handguns and ammunition. At approximately 2:13 p.m., SINCLAIR sent a text to TREJOROJAS stating that she and TYSON had arrived home. TREJOROJAS responded, "Oh okay good. Omg please don't be carving bodies lmfaooooo my name on them thangsssss lol." SINCLAIR replied "Lol nah we not crazy ass."

10. Approximately five hours later, at 7:09 p.m., an individual was arrested in Orange, New Jersey after police officers responded to the sound of gunshots. During the course of the individual's arrest, police officers recovered one of the five handguns that SINCLAIR and TYSON had transported from Virginia to New Jersey.

11. On or about March 8, 2018, TREJOROJAS admitted to law enforcement that she had purchased the five semiautomatic handguns for SINCLAIR and TYSON in Norfolk, Virginia, and that SINCLAIR and TYSON had

taken the five handguns with them when they traveled back to New Jersey on November 12, 2017.

12. On or about March 12, 2018, law enforcement executed a search warrant on SINCLAIR's residence in Newark, New Jersey. During the course of the search, law enforcement found and seized a) a .40 caliber Smith & Wesson M&P 40 Shield semi-automatic handgun, with a defaced serial number<sup>1</sup>, which was loaded with six rounds of .40 caliber ammunition; b) sixty-four additional rounds of .40 caliber ammunition; c) a box which displayed the serial number of one of the five handguns purchased from the Gun Store on November 11, 2017; d) four Smith & Wesson ammunition magazines; e) four gun safety locks; and f) a cellular telephone belonging to SINCLAIR.

13. SINCLAIR, who was present during the search of her residence, admitted to law enforcement officers that she knew that the handgun was in her residence, and also admitted to obtaining the five firearms in Norfolk, Virginia and transporting them back to New Jersey.

14. Law enforcement subsequently obtained a search warrant for SINCLAIR's cellular telephone. Among other things, the phone contained a video of TYSON altering/defacing the serial number of a handgun on November 12, 2017 at approximately 2:48 p.m., which was approximately 35 minutes after he and SINCLAIR arrived back in New Jersey from Virginia. The metadata for this video displays a Geo-Tag indicating that it was taken in the Newark/East Orange area.

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1. Ultimately, ATF agents were able, through various laboratory processes, to determine that the serial number of this handgun was HXV1020, confirming that it was one of the five handguns that the defendants purchased from the Gun Store on November 11, 2017.