
**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA : Hon. Cathy L. Waldor
 :
 v. : Mag. No. 18-7205
 :
 ANDRE MIMS, : **CRIMINAL COMPLAINT**
 a/k/a "Face," :
 a/k/a "Fifty," :
 GREGORY MIMS, :
 HERBERT CHEEKS, :
 a/k/a "Hak," :
 JAMES THOMAS, :
 a/k/a "Michael Thomas," :
 ANTHONY WOODS, :
 a/k/a "Kasimu Shomari," :
 a/k/a "Moo," :
 and FREDDIE MIMS :


I, Robert O'Holla, being duly sworn, state the following is true and correct to the best of my knowledg and belief:

SEE ATTACHMENT A

I further state that I am a Task Force Officer, and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached pages and made a part hereof.




Robert O'Holla, Task Force Officer
Drug Enforcement Administration

Sworn to and subscribed in my presence,
This 18th day of September, 2018

ESSEX COUNTY, NEW JERSEY
County and State

HONORABLE CATHY L. WALDOR
UNITED STATES MAGISTRATE JUDGE



Signature of Judicial Officer

ATTACHMENT A

COUNT ONE

(Conspiracy to Distribute Heroin)

From in or around December 2017 through in or around May 2018, in Essex County in the District of New Jersey, and elsewhere, the defendants,

**ANDRE MIMS,
a/k/a "Face,"
a/k/a/ "Fifty,"
GREGORY MIMS,
HERBERT CHEEKS,
a/k/a "Hak,"
JAMES THOMAS,
a/k/k "Michael Thomas," and
ANTHONY WOODS,
a/k/a "Kasimu Shomari,"
a/k/a "Moo,"**

did knowingly and intentionally conspire and agree with each other and others, known and unknown, 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 of a Firearm by a Convicted Felon)

On or about May 15, 2018, 2018, in Essex County, in the District of New Jersey and elsewhere, the defendant,

**ANDRE MIMS,
a/k/a "Face,"
a/k/a/ "Fifty,"**

having been convicted of a crime punishable by imprisonment for a term exceeding one year in the Superior Court of New Jersey, Essex County, did knowingly possess in and affecting commerce a loaded firearm, namely, a 9mm. Smith & Wesson handgun, bearing the serial number PBY5102 which was loaded with nine rounds of ammunition.

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

COUNT THREE

(Possession of a Firearm by a Convicted Felon)

On or about May 15 2018, 2018, in Essex County, in the District of New Jersey and elsewhere, the defendant,

**HERBERT CHEEKS,
a/k/a "Hak"**

having been convicted of a crime punishable by imprisonment for a term exceeding one year in the Superior Court of New Jersey, Essex County, did knowingly possess in and affecting commerce a loaded firearm, namely, a .32 caliber automatic Baretta handgun, bearing the serial number 889409 which was loaded with five rounds of ammunition.

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

COUNT FOUR

(Possession with Intent to Distribute Heroin)

On or about April 13, 2018, in Essex County, in the District of New Jersey and elsewhere, the defendant,

FREDDIE MIMS,

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

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

ATTACHMENT B

I, Robert O'Holla, am a Task Force Officer with the Drug Enforcement Administration ("DEA"). 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 other items of evidence. 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 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. Furthermore, explanations in parentheses are based upon my knowledge and experience, the knowledge, training, and experience of law enforcement agents and officers with whom I have spoken, and the results of the investigation to date.

The Investigation

1. Since in or around December 2017, law enforcement has been investigating a drug trafficking organization ("DTO") that has been distributing heroin and other narcotics in or around various locations around Newark, Irvington, and East Orange, N.J. This investigation has consisted of, among other investigative tools, controlled purchases of narcotics, pole camera surveillance, physical surveillance and lawfully intercepted wire and electronic communications.

Narcotics Distribution for the DTO

2. Based on this ongoing investigation, law enforcement has determined that the DTO is led by ANDRE MIMS, a/k/a "Face," a/k/a/ "Fifty" ("A. MIMS") and HERBERT CHEEKS, a/k/a "Hak" ("CHEEKS"). The DTO primarily operates its drug sales in and around Grove Street in Newark, New Jersey at a family residence (the "Newark Residence") occupied by, among others, GREGORY MIMS ("G. MIMS") – the brother and co-conspirator of A. MIMS. Entry and exit for the Newark Residence can be made through the front and back of the building which is ideal for members of the DTO to engage in narcotics sales while maintaining oversight of the area for police presence.

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 "Mastercard" was popular among the DTO members and their customers alike.¹

¹ 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

Controlled Buys of Heroin from DTO Members

4. Between on or about December 28, 2017, and on or about March 6, 2018, law enforcement conducted numerous controlled purchases of heroin, from members of the DTO, including from A. MIMS. These purchases were made through the use of an undercover officer ("UC"). Prior to each controlled purchase, law enforcement officers outfitted the UC with an audio transmitter, an audio or video recording device and documented U.S. currency. The UC's controlled purchases with the DTO are outlined in the chart on the next page.

decks of heroin, often packaged together. A "brick" of heroin commonly refers to approximately 50 decks, or 5 bundles, of heroin, often packaged together.

Date	Amount Purchased	Stamp	Purchased From
12/28/17	20 decks	Ghost	A. MIMS
1/3/18	121 decks (2 bricks)	100 stamped "E.T." 21 stamped "Ciroc Peach"	A. MIMS
1/11/18	250 decks (5 bricks)	Ciroc	A. MIMS
2/13/18	750 decks (15 bricks)	300 stamped "Ciroc Amaretto"; 190 stamped "Ciroc Red Berry"; 50 stamped "Ciroc Snap Frost"; 50 stamped "Ciroc Cocnut"; 140 stamped "Empire"; 20 stamped "E.T."	A. MIMS
3/6/18	700 decks (14 bricks)	Ciroc	A.MIMS & JAMES THOMAS

5. During the December 28, 2017 undercover purchase, the UC agreed upon a location for the purchase of twenty decks of heroin. A. MIMS met with the UC and removed 20 decks of heroin from a sandwich bag which

contained a large quantity of decks of heroin. The UC then paid A. MIMS with \$120 in recorded currency.

6. During the January 3, 2018 undercover purchase, the UC was directed by A. MIMS to a commercial location in Irvington, N.J. (the "Store"). The UC handed A. MIMS \$375 in recorded currency and A. MIMS handed the UC two bricks of heroin. The UC then asked A. MIMS if he/she could get a lower price for a larger order of heroin. A. MIMS advised the UC that he would have to discuss that and get back to him/her.

7. During the January 11, 2018 undercover purchase, A. MIMS instructed the UC to meet him at an address in Newark, N.J. During that meeting A. MIMS provided the UC with five bricks of heroin in exchange for \$800 in recorded currency. The UC and A. MIMS had a conversation about future purchases.

8. During the February 13, 2018 undercover purchase, A. MIMS instructed the UC to meet him at an intersection in Newark, N.J. During that meeting A. MIMS provided the UC with fifteen bricks of heroin in exchange for \$2,100 in recorded currency. The UC and A. MIMS had a conversation about future purchases.

9. During the March 6, 2018 undercover purchase, A. MIMS instructed the UC to meet him at an intersection in Newark, N.J. The UC met with A. MIMS, who was seated in a motor vehicle, at the intersection. JAMES THOMAS, a/k/a "Michael Thomas" ("THOMAS") exited the vehicle and directed the UC into a residential building. The UC gave THOMAS \$2,250 in recorded currency, and THOMAS gave the UC fifteen bricks of heroin.

10. During the March 6, 2018 transaction, THOMAS accused the UC of paying \$150.00 of a previous purchase with counterfeit money. The UC agreed to relinquish one brick of heroin that he/she had just purchased in order to settle the dispute.

The Narcotics Conspiracy

11. Based on the ongoing investigation and as discussed above, law enforcement has determined that DTO members have shared narcotics, narcotics proceeds, and made large quantity sales in furtherance of the DTO.

Shared Narcotics

12. On or about April 13, 2018, at approximately 9:11 a.m., CHEEKS called A. MIMS. During the lawfully intercepted conversation, A. MIMS said, "That n**** aint got none yo he said Sunday. But, um, Juggernaut got some"

(their regular supplier did not have narcotics ready for them but someone that went by the nickname of Juggernaut did have readily available narcotics). CHEEKS asked, "What he want for it?" (inquiring about the price of the narcotics). A. MIMS replied, "He want 120" (referring to the cost to purchase one brick of heroin). CHEEKS stated, "I need 6" to which A. MIMS responded, "F*** that I'm gonna tell him 10. I'm getting 4. Alright I'm about to call him" (he was going to ask Juggernaut to supply him with 10 bricks of heroin and split them accordingly with CHEEKS).

13. On or about April 14, 2018, at approximately 4:23 p.m., A. MIMS called CHEEKS. During the lawfully intercepted conversation, CHEEKS said, "Yo he, oh shit (unintelligible) he here. Meet me at the store with it, seven." (A. MIMS should meet CHEEKS at the Store). A. MIMS gave an unintelligible response to which CHEEKS responded, "Alright, I'm leaving out my house, alright?"

14. Immediately following this conversation, law enforcement observed A. MIMS at the Newark Residence where he met with G. MIMS, THOMAS, FREDDIE MIMS ("F. MIMS") and a co-conspirator ("CC-1") in the backyard. A. MIMS then entered the Newark Residence and emerged with a black plastic bag. A. MIMS drove to and entered the Store. A short time later CHEEKS arrived at the Store. Based on my training and experience, as well as the lawfully intercepted telephone calls set forth in Paragraphs 12 and 13, above, A. MIMS and CHEEKS had met at the Store to share the heroin that A. MIMS had purchased from the supplier the day before.

15. On or about April 15, 2018, at approximately 3:09 p.m. ANTHONY WOODS, a/k/a "Kasimu Shomari," a/k/a "Moo," ("WOODS") sent A. MIMS the following lawfully intercepted text message: "10 now im at the building" (WOODS was asking A. MIMS to supply him with ten bricks of heroin). A. MIMS responded "Meet me at the store" (A. MIMS tells WOODS to meet him at the Store to do the narcotics deal).

16. On or about April 15, 2018, at 3:20 p.m. A. MIMS called CHEEKS. During the lawfully intercepted conversation, A. MIMS said, "Made me a nice one fifty" (he had made one hundred and fifty dollars in profit). A. MIMS then went on to say, "Hell yeah, he bought ten" (referring to his sale of ten bricks of heroin). CHEEKS responded, "Who Moo?" (the street name for WOODS). A. MIMS replied "Yeah, word up" while laughing. CHEEKS and MIMS then discussed that they have not had any complaints from customers or dealers since they started selling heroin that had been stamped "Mastercard" by their shared supplier.

17. On or about April 16, 2018, at approximately 9:25 p.m. WOODS sent A. MIMS the following legally intercepted text message: "Say dat i want the

same scoob” (WOODS was telling A. MIMS that he needed to be re-supplied with the same heroin order he had been given on April 15, 2018).

18. On or about April 17, 2018, at approximately 11:29 a.m., A. MIMS called WOODS. During the lawfully intercepted conversation A. MIMS stated, “Aight yo just call me when you ready man. This nigga Hak man” (instructing WOODS to call him when he was ready for the heroin pick up and then complained about “Hak” [identified as CHEEKS during the course of this investigation]). A. MIMS then went on to elaborate “This nigga got bitches in the m***** stash house. This bitch found some panties, she f***** up shit ‘bout to set the shit on fire. I’m like yo man what you...come on man...this is a f***** business n*****” (CHEEKS’ wife found evidence of infidelity in the house which they used to store the heroin and she drew attention to the address which was bad for business). WOODS responded by saying, “He can’t mix business and pleasure man. He gotta gotta do what he need to do” (he was unhappy that CHEEKS was compromising the narcotics business with his personal affairs). A. MIMS then stated, “This one got the police pullin up I said aww man” (A. MIMS was upset that the police were called to the stash house). WOODS replied with, “Naw he can’t be doing that man. He can’t take that...wilin...he wilin...I’m comin right there...I’ll be there in 2.5” (WOODS was also unhappy that CHEEKS had compromised the stash location by drawing law enforcement’s attention to it).

19. Approximately thirty minutes after that phone call, detectives from the Essex County Prosecutors Office (“ECPO”) saw WOODS and A. MIMS meet with one another near the intersection of 14th Avenue and 21st Street in Irvington. The officers observed WOODS exit the vehicle he had been driving and enter the passenger side of the vehicle that A. MIMS was driving. A short time later, WOODS exited that vehicle and was in possession of a plastic bag. WOODS was observed placing the plastic bag in his vehicle before he drove away from the area. Based on my training and experience, as well as the lawfully intercepted telephone call set forth in Paragraph 17 above, WOODS purchased 10 bricks of heroin from A. MIMS.

20. On or about April 17, 2018, at approximately 6:30 p.m., WOODS calls A. MIMS. During the lawfully intercepted conversation, A. MIMS stated, “Bro I’m about to bust a moves uhm this n**** want umm [unintelligible] for thirty six this n**** I was f***** with before so I’m ‘bout to go see him (A. MIMS was unhappy with his current supplier and was going to speak to someone he had previously purchased heroin from). WOODS responded, “Aight yo so I gotta go up the hill real quick but uhm I can hit you when I’m ready” (WOODS had to run an errand but would call A. MIMS when he was ready to make the meeting). A. MIMS stated, “Just uhm just let me know how many you want, I’ll use my money, I got money on me” (A. MIMS would front WOODS the money for the heroin). WOODS replied, “Im’a see how much they got up there I’m on

my way up there now" (WOODS would check with what his heroin supply was at and then would place an order with A. MIMS).

21. On or about April 21, 2018, at approximately 12:20 a.m. A. MIMS called CHEEKS. During the lawfully intercepted conversation A. MIMS stated, "A yo (unintelligible) you got percs?" (A. MIMS inquired if CHEEKS had the prescription painkiller Percocet). CHEEKS responded, "Yeah they in the store, they in the cash register." (CHEEKS kept his stash in the cash register of the Store). A. MIMS stated, "I got a two sale." (A. MIMS had a customer for them). CHEEKS confirmed, "Aight, they're in the cash register. I gotta shoot up um, I gotta shoot up Orange right quick."

22. During the course of this investigation members of the DTO were observed to frequent the Store but made no purchases. Further, several individuals were observed entering and exiting the Store without any bags or obvious purchased items. Based on my training and experience, as well as my knowledge of the case, the Store was utilized by the DTO as a narcotics distribution facility.

23. On or about April 23, 2018, at approximately 6:03 p.m. a co-conspirator ("CC-2") called A. MIMS. During the lawfully intercepted conversation A. MIMS said "You gonna be around at 7:30?" (could they meet up at 7:30). CC-2 responded by saying "Yeah, I had wanted you to come to Thirteenth Street. I'm just tryin' to do something' so I just needed to grab somethin' but they told me I had tomorrow but they puttin' that together as we speak" (CC-2 was letting A. Mims know that his order of heroin would be ready by 7:30 that evening as the supplier was putting it together at that time).

24. On or about April 27, 2018, at approximately 1:00 p.m. law enforcement saw G. MIMS exit his residence in East Orange (the "East Orange Residence") while in possession of a yellow plastic bag (the "Yellow Bag"). G. MIMS drove to the Newark Residence where he met with THOMAS. G. MIMS removed a clear plastic bag from within the Yellow Bag. The clear plastic bag contained several small items that resembled narcotics based on the detectives' training and experience. G. MIMS handed the clear plastic bag to THOMAS who walked down the street from the Newark Residence and met with an unidentified male. THOMAS participated in a hand-to-hand exchange with the unidentified male at that time. Based on their training and experience, law enforcement believed that a narcotics sale had occurred.

25. Meanwhile, G. MIMS entered the Newark Residence while still in possession of the Yellow Bag, and he emerged moments later without the Yellow Bag.

26. On or about April 27, 2018, at approximately 2:54 p.m., A. MIMS called G. MIMS. During the lawfully intercepted phone call G. MIMS said, "What you need?" to which A. MIMS responded, "huh...umm I'm gonna start slow, ten" (asked to be supplied with ten bricks of heroin). G. MIMS responded "Hmm... ol a'ight I'm gonna see who the f*** (unintelligible) in this white car... Ol, a'ight I got you" (he could supply A. MIMS with the ten bricks of heroin).

Shared Narcotics Proceeds

27. On or about April 14, 2018, at approximately 11:06 a.m., law enforcement was conducting physical surveillance at and around the Newark Residence. They saw A. MIMS arrive at the Newark Residence, whereupon he met with G. MIMS and THOMAS. A. MIMS handed a black plastic shopping bag (the "Black Bag") to G. MIMS who then handed the Black Bag to THOMAS. THOMAS then turned and entered the Newark Residence. A short time later, THOMAS returned with CC-1 and THOMAS handed A. MIMS a yellow plastic bag. A. MIMS then drove away from the area and stopped at the intersection of 17th Avenue and S. 18th Street in Newark. An unidentified male entered MIMS's vehicle and, moments later, exited the passenger side of the vehicle while placing a yellow plastic bag into a pocket of his clothing. Based on their training and experience, law enforcement believed that A. MIMS had just delivered narcotics to the unidentified male.

28. Immediately after this transaction, A. MIMS returned to the Newark Residence where he met with G. MIMS who produced a large wad of cash from his pocket. He counted out some of the currency and handed it to A. MIMS who placed it in his pocket.

29. On or about April 15, 2018, at approximately 2:35 p.m., A. MIMS called CHEEKS. During the lawfully intercepted conversation, A. MIMS said "...everybody pay 130 on walking in" (the new price for a brick of heroin was now \$130). CHEEKS response was "Huh?" to which A. MIMS re-stated "Everybody buys bricks for 130".

Individual Narcotics Sales in Furtherance of the DTO

30. On or about January 3, 2018, A. MIMS received a text message from the UC. The lawfully intercepted text message read, "Yo yo we good bro I can be ther in 30". A. MIMS responded, "How many" (inquiring as to how much heroin the UC was going to be purchasing). The UC replied, "2 whole for now" (2 bricks of heroin for this sale). A. MIMS confirmed the sale by responding, "Ok".

31. On or about January 6, 2018, A. MIMS received a text message from the UC, which stated: "Wanna talk numbers or do that in person? Last time u said better price for 4 or more that still good" (asked A. MIMS if he/she could get a better price if they purchased four or more bricks of heroin at a time). A. MIMS responded that the price for four bricks of heroin would be "\$640". The UC advised A. MIMS, "K I'll hit u up tomorrow at leest 4 I shold be back like nite time". A. MIMS replied "K" (confirming that he would make the deal).

32. On or about January 10, 2018, A. MIMS received a text message from the UC. The lawfully intercepted text read, "Yo bro tomorrow u good like 11. Ill take 5" (asked A. MIMS if they can meet up at 11 o'clock to purchase 5 bricks of heroin). A. MIMS replied "Ok", and confirmed that he would be able to conduct the heroin sale.

33. On or about February 12, 2018, A. MIMS received a text message from the UC. The lawfully intercepted text read, "Yo brah I land Newark airport tomorrow 1130 can I swing through" (asked if he/she could stop by after the airport to pick up heroin). A. MIMS responded in the affirmative and asked the UC "How many" (how many bricks of heroin did the UC need to be supplied with). The UC replied "15" (15 bricks of heroin). A. MIMS responded "Ok" to close the drug deal.

34. The next day A. MIMS received additional text messages from the UC. The lawfully intercepted texts read "140 a brick right" (confirmed that the price per brick of heroin was \$140). A. MIMS confirmed the price by replying "Ok" and, approximately ten minutes later the UC sent A. MIMS a text that read "I'm here" (he/she had arrived to complete the narcotics sale).

35. On or about March 5, 2018, A. MIMS and the UC engaged in some brief text messages negotiating prices for bricks of heroin and a time for the UC to pick up the narcotics. A. MIMS advised the UC to come by "Around 11" the next day. The UC then inquired "Ok those 15 are they all ciroc?" (the UC was asking if all of the 15 bricks of heroin would have "ciroc" stamped on the individual envelopes). A. MIMS replied "Yeah".

36. On or about April 13, 2018, at approximately 11:20 a.m., law enforcement was conducting surveillance at the Newark Residence. G. MIMS retrieved a yellow bag from the Newark Residence and handed the yellow bag to F. MIMS. F. MIMS then walked to another location and engaged in a hand-to-hand narcotics transaction with an unidentified male. Based on their training and experience, law enforcement believed that a narcotics sale had occurred. F. MIMS then removed a clear plastic bag, which contained narcotics, from within the yellow bag. He discarded the yellow bag and placed the drug-laden

clear bag in his pocket. F. MIMS then walked back the Newark Residence and joined G. MIMS. This transaction was capture on video surveillance.

37. On or about April 19, 2018, at approximately 9:36 a.m. A. MIMS received a call from a co-conspirator ("CC-3"). During the lawfully intercepted conversation A. MIMS stated, "What you need bro" (asked CC-3 how much heroin he/she needed). CC-3 responded, "Eight, I'm getting eight" (asked A. MIMS to supply him/her with eight bricks of heroin). A. MIMS said "Aight" (he would be able to complete the deal).

38. On or about April 22, 2018, at approximately 2:33 p.m. a co-conspirator ("CC-4") called A. MIMS. During the lawfully intercepted conversation CC-4 said, "Yeah I don't know, f***** ahh, so you aint gonna do thirty five for me anymore bro?" (asking why the price on a bundle of heroin had gone up). A. MIMS replied "I can't bruh, like if, if, if it was like a loyal situation yeah like I, I, I, I do it like bro" (he only provided the original price for loyal customers). CC-4 and A. MIMS then got into an argument about the quality and price of the heroin being sold. A. MIMS said, "...I got people who I deal with seven, eight, nine years and they don't even get it for thirty-five and I'm like yo like I'm, I'm, I'm coming out my way trying to y'all and that's not fair to them like" (giving CC-4 the original price was not fair to the customers A. MIMS had for 7-9 years). CC-4 accused A. MIMS of having switched "stamps" on him/her and they had a lengthy argument about the price and quality of the heroin. At the end of which CC-4 told A. MIMS, "Well all I got is seventy beans right now, but I'm getting more loot so I'll be back later ya know? Let me try that shit bro, give it to me for thirty five a bun bro...and then I'll give you forty a bun next f***** when I come back" (CC-4 only had seventy dollars but would get more money later so he/she was asking to pay thirty five dollars for a "bun"² of heroin with the promise that CC-4 would pay the increased price next time). A. MIMS responded, "Alright that's a deal" (agreed to the terms CC-4 had set out and finalized the heroin sale).

39. On or about April 30, 2018, at approximately 10:52 a.m., A. MIMS received a text message from a co-conspirator ("CC-5"). This legally intercepted text read "10 bricks, one separate Bun and .40 weed" (ordered ten bricks of heroin, an additional bundle of heroin and 40 ounces of marijuana).

40. On or about May 2, 2018, at approximately 3:13 p.m., A. MIMS contacted CC-4. During the lawfully intercepted phone call A. MIMS accused CC-4 of having bought heroin from other dealers and having sent customers to other dealers to purchase heroin. CC-4 denied these accusations and asked A. MIMS to sell 20 envelopes of heroin to him/her. A. MIMS refused to sell to CC-

² A "bun" of heroin is short for a "bundle" which is street terminology for ten (10) glassine envelopes of heroin

4 and G. MIMS chimed in from the background and accused CC-4 of having purchased heroin from dealers who were selling it for less. Finally, CC-4 was able to convince A. MIMS that he/she was a trustworthy customer and to meet him/her to complete the sale of 20 decks, or envelopes, of heroin.

41. Immediately after this conversation, law enforcement conducted physical surveillance at the Newark Residence and saw A. MIMS and G. MIMS together, whereupon A. MIMS entered the Newark Residence. An unidentified male approached G. MIMS and they engaged in a brief conversation. At that time, G. MIMS waved this male to proceed to the general area of Grain Street. G. MIMS and A. MIMS were observed engaging in a brief conversation, at which time, THOMAS emerged from the Newark Residence and joined the conversation. G. MIMS retrieved items of narcotics from a yellow bag A. MIMS had been carrying, handed them to THOMAS, who walked to the unidentified male and engaged in a hand-to-hand transaction. A. MIMS also removed items from the yellow bag and handed the yellow bag to G. MIMS. A. MIMS then walked away from the location, met with CC-4 and engaged in a hand to hand transaction. Based on my training and experience, A. MIMS, G. MIMS and THOMAS were engaging in narcotics distribution.

Seizures in Relation to the DTO

May 15, 2018 Seizure at the Irvington Residence

42. On or about May 15, 2018, at approximately 6:05 a.m., law enforcement executed a search warrant at the known residence of A. MIMS in Irvington, N.J. (the "Irvington Residence").

43. Pursuant to a lawful search of the Irvington Residence, law enforcement recovered, among other items, a firearm (charged in Count 2 of this Complaint), 38 bricks and 6 bundles of heroin (total of 1,960 envelopes), 220 clear glass vials, 39 grams of cocaine, 22 grams of marijuana, nine .357 rounds of ammunition, multiple boxes of clear glass vials, multiple bags of tops for glass vials, scales, and \$1,685 in U.S. currency.

44. A. MIMS was present during the execution of the search warrant and stated to law enforcement, "It's all me, my son aint got nothing to do with this shit".³

³ A child of A. MIMS was present at the Residence during the execution of the search warrant, he/she was briefed and released.

45. The recovered firearm and ammunition were manufactured outside of the State of New Jersey, and thus moved in, and affected interstate commerce prior to May 15, 2018.

46. Prior to May 15, 2018, A. MIMS had at least one felony conviction in Superior Court, Essex County, including a conviction on or about January 16, 2009, for possession with the intent to distribute a controlled dangerous substance, an offense punishable by a term of imprisonment of more than one year.

May 15, 2018 Seizure at the Store

47. On or about May 15, 2018, law enforcement executed a search warrant at the Store in Irvington, N.J.

48. Pursuant to a lawful search of the Store, law enforcement recovered, among other items, a firearm (charged in Count 3 of this Complaint), five .32 caliber rounds of ammunition, and various items of mail addressed to CHEEKS.

49. The recovered firearm and ammunition were manufactured outside of the State of New Jersey, and thus moved in, and affected interstate commerce prior to May 15, 2018.

50. Prior to May 15, 2018, CHEEKS had at least one felony conviction in Superior Court, Essex County, including a conviction on or about September 8, 2008, for possession with the intent to distribute a controlled dangerous substance within 1,000 feet of a school zone, an offense punishable by a term of imprisonment of more than one year.

May 15, 2018 Seizure at the East Orange Residence

51. On or about May 15, 2018, at approximately 6:10 a.m., law enforcement executed a search warrant at the known residence of G. MIMS in East Orange, N.J. (the "East Orange Residence").

52. Pursuant to a lawful search of the East Orange Residence, law enforcement recovered, among other items, one black box containing \$4,790 in U.S. currency, one water jug containing \$1,472 in U.S. currency, eleven cell phones, one container with 134 vials of cocaine and 29 jugs of marijuana, one bag of marijuana, a measuring cup containing a scooper with narcotics residue, and a plastic baggie containing \$570 in U.S. currency
