
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Douglas E. Arpert
 :
 v. : Mag. No. 19-1583 (DEA)
 :
 FRANCIS ANTHONY GARZON :
 :
 ENDRIT KLOGJERI : **CRIMINAL COMPLAINT**

I, Erik Nolte, 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 Task Force Officer with the Federal Bureau of Investigation and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.



Erik Nolte, Task Force Officer
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,
December 10, 2019 at Trenton, New Jersey

HONORABLE DOUGLAS E. ARPERT
UNITED STATES MAGISTRATE JUDGE



Signature of Judicial Officer

ATTACHMENT A

COUNT ONE

(Conspiracy to Commit Hobbs Act Extortion)

From on or about December 1, 2019 through on or about December 9, 2019, in Monmouth County, in the District of New Jersey, and elsewhere, defendants,

FRANCIS ANTHONY GARZON
and
ENDRIT KLLOGJERI,

did knowingly and willfully conspire with each other and others to obstruct, delay, and affect, commerce and the movement of articles and commodities in such commerce, by extortion, by wrongful use of actual and threatened force, violence, and fear.

In violation of Title 18, United States Code, Section 1951(a) and Section 2.

ATTACHMENT B

I, Erik Nolte, am a detective with the Marlboro Township, New Jersey Police Department (“MTPD”), assigned since 2010 as a Task Force Officer with the Federal Bureau of Investigation. I am fully familiar with the facts set forth herein based on my own investigation, my conversations with witnesses and other law enforcement officers, and my review of reports, documents, and items of evidence. Where statements of others are related herein, they are related in substance and in 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 December 1, 2019, defendants Francis Anthony Garzon (“GARZON”) and Endrit Kllogjери (“KLLOGJERI”), along with another unidentified male subject (“Person 1”), (collectively, the “Offenders”), went to the home of “Victim 1” located in Marlboro Township, New Jersey (the “Residence”). GARZON was armed with a silver revolver.

2. The offenders were met at the front door of the Residence by Victim 1. GARZON stated that he was looking for Victim 1’s son, “Victim 2,” whom GARZON claimed had stolen a bag from the Offenders that contained property valued in the tens of thousands of dollars (the “bag”). GARZON demanded that Victim 1 recover the bag and return it to them, along with an additional \$100,000 “interest” payment.

3. Victim 1 told the Offenders that they were mistaken; that his son did not have their property; and that they must leave the Residence at once. Ignoring Victim 1’s request, GARZON lifted his shirt revealing a silver revolver with a wooden handle. GARZON then drew the firearm from his waistband and pointed it at Victim 1 before cocking the revolver’s hammer, rendering it single-fire ready. GARZON then threatened Victim 1 again, stating: “you don’t know who you’re dealing with.” KLLOGJERI and Person 1 stood close behind GARZON during this exchange. KLLOGJERI further issued an oral threat to Victim 1. Fearing for his life, Victim 1 then called Victim 2, telling his son that three men were at his home looking for Victim 2. GARZON then abruptly seized the cellphone from Victim 1’s hand and, while talking to Victim 2, demanded that Victim 2 return the bag within 24 hours. The Offenders then left Victim 1’s property.

4. Shortly after leaving the Residence, GARZON placed a call to Victim 2’s wife. After the wife answered the call, GARZON demanded to speak with Victim 2, addressing the wife and referencing Victim Two by their first names. Once Victim 2 was on the phone line, GARZON demanded that Victim 2 return the bag. GARZON then ended the call.

5. The following day, on or about December 2, 2019, GARZON placed another call to Victim 1. As before, GARZON demanded that Victim 1 return the bag which, GARZON insisted, was in his son's possession. Victim 1 responded as he had the day before, stating that his son did not have the caller's bag. GARZON then ended the call.

6. Law enforcement identified the phone number GARZON used to place the call referenced in paragraph 5, above. Law enforcement then lawfully obtained location information for the phone GARZON used to place this call, and determined that the phone was located in or around Brooklyn, New York at the time of the call.

7. On or about December 2, 2019, GARZON called Victim 1 and told him that GARZON would provide proof that Victim 1's son had the bag. Approximately an hour after this call, GARZON sent Victim 1 several multimedia messaging service ("MMS") transmissions (phone-to-phone messages containing multimedia, such as pictures and photographs). The MMS transmissions contained several photographs of Victim 2 obtained from publicly available social media sites as well as two videos. One of the videos appeared to depict Victim 2, his wife and their child in Brooklyn, New York. Location information lawfully obtained by law enforcement revealed that the phone which sent the MMS transmissions (the "Offenders' phone") was located in or around Brooklyn, New York at the time the messages were sent.

8. On or about December 3, 2019, law enforcement, with Victim 1's consent, intermittently took control of Victim 1's cellphone and, while pretending to be Victim 1, began communicating with the Offenders by phone call and text message. On one call, law enforcement, feigning an attempt to settle the disputed issue of the stolen bag, negotiated a lower amount of \$70,000. On a follow-up call, GARZON agreed to the false counter-offer before stating he would call Victim 1 the following morning at 11:00 am.

9. Over the period from on or about December 4 through on or about December 9, 2019, the Offenders, utilizing the Offenders' phone, continued to contact Victim 1 by phone and text message communication, persisting in their demand of the return of the bag and an additional tens-of-thousands-of-dollar payment. Law enforcement pretended to be Victim 1 on many of these communications.

10. Over this same approximate period, law enforcement, through lawfully obtained process, monitored the location of the Offenders' phone, determining that the Offenders' phone travelled back-and-forth from the area in and around Brooklyn, New York to the area in and around Middlesex County, New Jersey.

11. On or about the evening of December 9, 2019, law enforcement tracked the Offenders' phone to a moving vehicle in the area in or around the intersection of Third Avenue and Douglass Street in Brooklyn, New York. Law enforcement stopped the vehicle and identified its occupants – the driver, GARZON, and front-seat passenger, KLLOGJERI. Both vehicle occupants were then removed from the vehicle and subsequently arrested. GARZON, after being given his *Miranda* warnings and orally waiving those rights, consented to a law enforcement search of the vehicle. Pursuant to that search, law enforcement discovered the Offenders' phone located in a pocket on the driver's side door. Displayed on the home screen of the Offenders' phone was a message bearing Victim 1's phone number.

12. Law enforcement then transported GARZON and KLLOGJERI to MTPD. While at MTPD, GARZON was again issued *Miranda* warnings, which he waived in a signed writing before agreeing to be interviewed by law enforcement. During that interview, GARZON admitted that on December 1, 2019 he went to the Residence with two other individuals, including KLLOGJERI, to confront Victim 1 and demand the return of the bag and an additional \$100,000. GARZON further admitted that he brandished a weapon during that encounter, claiming it was a BB gun. GARZON further admitted to law enforcement that over the ensuing approximately one week, he remained in communication with Victim 1 regarding GARZON's demand for the return of the bag and additional payment of \$100,000.