

ORIGINAL FILED**UNITED STATES DISTRICT COURT****DEC 16 2019**

for the

District of New Jersey

WILLIAM T. WALSH, CLERK

United States of America

v.

RICHARD GABRIEL PIEDRA ORDONEZ a/k/a
"RICHARD CEPEDA"

Case No.

19-mj-1102 (AMD)

*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 2019 through July 2019 in the county of Cape May in the
District of New Jersey, the defendant(s) violated:*Code Section*Title 18, USC, Sections 2423(a);
2423(b); 2*Offense Description*Transporting an individual who has not attained the age of 18 years in
interstate commerce; Traveling in interstate commerce with the intent to
engage in illicit sexual conduct (See Attachment A)

This criminal complaint is based on these facts:


See Attachment B

☒ Continued on the attached sheet.*Complainant's signature*

FBI Task Force Officer Aliya Simnor

Printed name and title

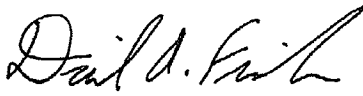
Sworn to before me and signed in my presence.

Date: 12/16/2019City and state: Camden, New Jersey
Judge's signature

Ann Marie Donio, U.S. Magistrate Judge

Printed name and title

CONTENTS APPROVED
UNITED STATES ATTORNEY

By: 
Daniel A. Friedman
Assistant U.S. Attorney

Date: December 16, 2019

ATTACHMENT A

COUNT 1

Between in or about May 2019 through in or about July 2019, in Cape May County, in the District of New Jersey, and elsewhere, defendant

RICHARD GABRIEL PIEDRA ORDONEZ a/k/a Richard Cepeda

did knowingly transport Victim One, who had not attained the age of 18 years in interstate and foreign commerce, namely from New Jersey to New York, with the intent that Victim One engage in sexual activity for which any person can be charged with a criminal offense, namely NY Penal Law § 130.25, Rape in the Third Degree (statutory rape).

In violation of Title 18, United States Code, Section 2423(a) and Title 18, United States Code, Section 2.

COUNT 2

Between in or about May 2019 through in or about July 2019, in Cape May County, in the District of New Jersey, and elsewhere, defendant

RICHARD GABRIEL PIEDRA ORDONEZ a/k/a Richard Cepeda

did travel in interstate commerce from New York to New Jersey for the purpose of engaging in illicit sexual conduct, that is, a sexual act, as that term is defined in 18 United States Code, Section 2246, with a person under the age of eighteen, which sexual act would constitute a violation of Title 18, United States Code, Chapter 109A.

In violation of Title 18, United States Code, Section 2423(b) and Title 18, United States Code, Section 2.

ATTACHMENT B

1. I, Aliya Simnor, am a Detective with the Atlantic County Prosecutor's Office assigned as a Task Force Officer with the Federal Bureau of Investigation ("FBI") within the United States Department of Justice. I am currently assigned to the FBI's Newark Division's Atlantic City Child Exploitation and Human Trafficking Task Force for the FBI's Atlantic City Resident Agency. I have been deputized to conduct investigations of and to make arrests of offenses enumerated in Title 18, United States Code, Section 2516(1) as well as Title 21. I have personally participated in this investigation and am aware of the facts contained herein based upon my own investigation, my review of reports, documents, and items of evidence, as well as information provided to me by other law enforcement officers.

2. This Affidavit is submitted for the sole purpose of establishing probable cause to support the issuance of an arrest warrant and complaint charging defendant RICHARD GABRIEL PIEDRA ORDONEZ a/k/a Richard Cepeda with transporting an individual who has not attained the age of 18 years in interstate commerce, in violation of Title 18, United States Code, Sections 2423(a), and with traveling in interstate commerce with the intent to engage in illicit sexual conduct, in violation of Title 18, United States Code, Section 2423(b). Because this Affidavit is submitted for that limited purpose, I have not necessarily included each and every fact known to law enforcement concerning this investigation.

3. On July 25, 2019 and August 5, 2019, members of the New Jersey State Police and the Federal Bureau of Investigation's Child Exploitation and Human Trafficking Task Force investigating a sexual assault, interviewed a fifteen year-old female ("Victim One"). Victim One stated, in substance and in part:

- a. In or about May 2019, Victim One began communicating with an adult male (later identified as the defendant) via several social media and electronic communications services. The adult male told Victim One that his name was “Richard Cepeda” and he was twenty years old. Victim One informed “Cepeda” that she was fifteen years old.
 - b. On two occasions in May 2019 and/or June 2019, “Cepeda” drove from New York to New Jersey in a white, four-door sedan, to meet Victim One. On both occasions, “Cepeda” picked up Victim One near her house in Cape May County, New Jersey, and drove to a secluded location several miles from Victim One’s residence. On one of the two occasions, “Cepeda” and Victim One engaged in sexual intercourse in “Cepeda’s” vehicle. “Cepeda” used a condom, which was discarded outside the vehicle. (On or about July 25, 2019, law enforcement recovered a used condom from this location).
 - c. On two other occasions in June 2019 and/or July 2019, “Cepeda” drove from New York to New Jersey in a white, four-door sedan, to pick up Victim One and take her to New York. On these occasions, Victim One stayed overnight with “Cepeda” in “Cepeda’s” bedroom in the residence “Cepeda” shared with his family members. On each trip to New York, “Cepeda” and Victim One engaged in vaginal and oral sex. Afterwards, “Cepeda” drove Victim One back to Cape May County, New Jersey.
4. During one of their in-person meetings, “Cepeda” gave Victim One a Samsung Galaxy Note 8 mobile phone, which Victim One used to communicate with “Cepeda” and to take photographs and videos of herself with “Cepeda” and “Cepeda’s” family members. Law

enforcement forensically extracted the contents of the Galaxy cell phone that “Cepeda” provided to Victim One and observed multiple messages between “Cepeda” and Victim One. Law enforcement also viewed multiple images of “Cepeda” and Victim One together and one video of a white female and a Hispanic male engaged in sexual intercourse. Victim One identified the individuals in this video as herself and the male she knew as “Richard Cepeda.”

5. The investigation has revealed that “Richard Cepeda’s” real name is RICHARD GABRIEL PIEDRA ORDONEZ (“PIEDRA”), he is thirty-five years old, and he resides in an apartment on the 4101 block of 47th Avenue in Sunnyside, New York.

6. In the Galaxy Note 8 that “Cepeda” provided to Pelham, the following phone numbers and email address are saved under the entry titled “Richard”:

- xxx-xxx-0310
- xxx-xxx-6410
- lapiedrastone@gmail.com

7. On September 11, 2019, a subpoena was sent to T-Mobile US, Inc. for account information related to phone number xxx-xxx-0310. T-Mobile supplied the following information about the account:

- Customer Name: Richard Piedra
- Address: the defendant’s apartment in Sunnyside, New York
- Active: December 7, 2012 – current

8. On November 19, 2019, a subpoena was sent to Google, Inc. for account information related to Google Voice phone number xxx-xxx-6410. Google disclosed that the subscriber is “RICHARD PIEDRA.” Google further disclosed that, between May 28, 2019 and

July 9, 2019, phone number xxx-xxx-6410 received numerous calls from the phone number assigned to the Galaxy Note 8 that PIEDRA provided to Victim One.

9. Law enforcement also obtained information about the IP addresses used to access PIEDRA's and Victim One's social media and electronic communications accounts. Google disclosed that the account associated with Victim One was accessed using various IP addresses beginning with 2604 between May 2019 and July 2019. On or about September 9, 2019, a subpoena was served on Snap Inc., a company whose social media application PIEDRA used to communicate with Victim One. On October 9, 2019, Snap Inc. disclosed that the account associated with Victim One was logged in to various IP addresses beginning with 2604 between June 20, 2019 and July 17, 2019. On or about September 9, 2019, a subpoena was served on Facebook, Inc. for subscriber information for the accounts associated with phone numbers used by PIEDRA. On or about September 11, 2019, Facebook disclosed that accounts associated with PIEDRA was accessed using various IP addresses beginning with 2604 between May 18, 2019 and September 5, 2019.

10. On or about September 16, 2019 and December 2, 2019, subpoenas were served on Charter Communications for account information related to the aforementioned IP addresses beginning with 2604. Charter Communications supplied the following information about the account:

- Customer Name: Richard Piedra
- Address: the defendant's apartment in Sunnyside, New York

11. These IP records showing that Victim One's social media and electronic communications accounts were accessed from PIEDRA's residence in June and July 2019

establish probable cause to believe that Victim One was present at PIEDRA's residence during that time.

12. PIEDRA is licensed as a For Hire Vehicle driver by New York City's Taxi & Limousine Commission. New York City maintains a database of photographs of such drivers. Victim One identified an image of PIEDRA supplied by the New York Police Department as the person she had known as "Richard Cepeda."

13. PIEDRA's residential address as registered with the New York Department of Motor Vehicles is the Defendant's apartment in Sunnyside, New York. Three vehicles are registered to PIEDRA at that address, two of which are white four-door sedans.

14. In interviews with law enforcement, Victim One described PIEDRA's residence as an apartment on the first floor of a brick building and stated that there was a small park or playground diagonally across the street and a supermarket nearby. Maps and photographs reviewed by law enforcement show that the Defendant's apartment in Sunnyside, New York is in a brick building, that the L/CPL Thomas P. Noonan, Jr. Playground is located diagonally across the street from PIEDRA's apartment, and that a CTown Supermarket is located one block away.

15. On or about November 24, 2019, Victim One was a passenger in a motor vehicle crash on the Garden State Parkway. PIEDRA appeared on the scene of the crash.

16. On or about December 6, 2019, Victim One's mother informed law enforcement that PIEDRA has been communicating with Victim One through the social media app Instagram. On or about December 9, 2019, law enforcement obtained consent from Victim One's mother to conduct a forensic examination on a cellular device used by Victim One's sibling. Law enforcement observed messages in Instagram's messaging application between an Instagram

account in the name of Victim One and an Instagram account with the same username as

PIEDRA's Snapchat account. The messages included, in substance and in part, the following:

- Victim One: "It's [Victim One] hey"
- PIEDRA: "omg! are you ok??? I'm so sorry"
- Victim One: "for???"
- PIEDRA: "the accident"
- Victim One: "Yea, I have a broken rib. I'm fine"
- PIEDRA: "I'm so sorry. I went there. I saw the car. i stopped. the police stopped me and hold my car key. they didn't want to tell me anything. they told me you were a runaway. and how did I know you. I thought I was going to get arrested."

- PIEDRA: "oh ok. don't give your password to ang. I'm so sorry it was all my fault"
- Victim One: "No. It was my decision."
- PIEDRA: " for not picking you up my self, what did you tell your parents?"

- PIEDRA: "oh, don't forget to delete the conversation once you done"
- PIEDRA: "when do yoiu think you could move with me?"
- Victim One: "18. I want to be legal"

17. Content on the Galaxy Note 8 confirms PIEDRA's knowledge that Victim One was 15 years old during the time period when the two were in a sexual relationship. In one message reviewed by law enforcement, PIEDRA wrote to Victim One: "it's 3 years till you turn 18. are you going to wait that long? you are not going to leave me for someone closer and better looking?"