

UNITED STATES DISTRICT COURT

for the
District of New Jersey

ORIGINAL FILED

MAR - 9 2020

WILLIAM T. WALSH, CLERK

United States of America
v.
Rocco DePoder, a/k/a "Rock"

Case No.
20-MJ-2039 (JS)

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 January 2020 to March 2020 in the county of Camden in the
 District of New Jersey , the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
21 U.S.C. § 846	Conspiracy to Distribute and to Possess with Intent to Distribute Controlled Substances (See Attachment A)

This criminal complaint is based on these facts:

See Attachment B (Affidavit)

Continued on the attached sheet.

Complainant's signature

Stuart Sobin, FBI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 03/09/2020

Judge's signature

City and state: Camden, New Jersey

Hon. Joel Schneider, U.S. Magistrate Judge

Printed name and title

CONTENTS APPROVED

UNITED STATES ATTORNEY

By: /s/ Gabriel J. Vidoni

Gabriel J. Vidoni, Assistant U.S. Attorney

Sara F. Merin, Assistant U.S. Attorney

Date: March 9, 2020

ATTACHMENT A

From at least in or about January 2020 to in or about March 2020, in Camden County, in the District of New Jersey and elsewhere, defendants

ROCCO DEPODER, a/k/a "Rock;"
LOLITA PAYNTER, a/k/a "Lolita Painter," a/k/a "Lo;"
NEAL THOMPSON;
MARCUS RUSHWORTH, a/k/a "Marc;"
ROBERT PRATT;
WAYNE MUSE;
KENNETH RUSHWORTH, a/k/a "Kenny;"
ALEXANDER SIACA, a/k/a "Al;"
HOLLY CLARK, a/k/a "Holly Granato;" and
MICHAEL DEPODER

did knowingly and intentionally conspire and agree among themselves and with others to distribute and possess with intent to distribute quantities of controlled substances, including oxycodone and amphetamine (Adderall), Schedule II controlled substances, contrary to Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), and alprazolam (Xanax), a Schedule IV controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and (b).

In violation of Title 21, United States Code, Section 846.

ATTACHMENT B

I, Stuart Sobin, am a Special Agent with the Federal Bureau of Investigation ("FBI"), being duly sworn, depose, and state that:

I. INTRODUCTION

1. I am an investigative or law enforcement officer of the United States and am empowered by law to conduct investigations and to make arrests for offenses enumerated in Section 2516 of Title 18, United States Code.

2. I am presently assigned to the Philadelphia Division, Cherry Hill Resident Agency, of the FBI. I have been an FBI Special Agent since 2012. In my capacity as a Special Agent, I have received extensive formal investigative training at the FBI's training academy in Quantico, Virginia and elsewhere. I have also received basic drug and gang training, as well as advanced training that involved drugs and gangs.

3. Through my training and experience, I am knowledgeable of the United States laws that apply to drug trafficking and money laundering. I am familiar with, and have employed, various investigative techniques. I have applied for, and executed, federal and state search warrants which have resulted in the seizure of illegal drugs, evidence of drug violations, and assets acquired with drug proceeds. I have previously been involved in investigations that utilized T-III interceptions, which led to the arrest and conviction of subjects for drug possession, distribution, and money laundering, as well as seizures of illegal drugs, weapons, and assets involved in drug trafficking.

4. Based upon the above training and experience, I am also familiar with the methods of operation of persons involved in illicit distribution of controlled substances, including prescription medicines, as well as terminology used by persons involved in the illicit distribution of controlled substances. I also have experience investigating individuals and organizations that illegally distribute and dispense controlled substances – including but not limited to oxycodone – under the guise of operating seemingly legitimate medical clinics, colloquially known as "pill mills," and the individuals who obtain, and illegally divert or abuse, controlled substances obtained from such "pill mills[.]" Typically, an individual who seeks to abuse or illegally divert controlled substances will go to one of these medical clinics. Individuals who obtain prescriptions for the purpose of illegally diverting those prescriptions will often re-sell all but one or two pills from a prescription, reserving the remaining pills to take shortly prior to the appointment for that patient's next prescription to assure a positive urine screen.

5. I have not included every detail of every aspect of my training, education, and experience, but rather have highlighted those areas most relevant to this application. I have been personally involved in the investigation of this matter. The information contained in this Criminal Complaint is based on my personal knowledge and on information obtained from other sources, including: (a) statements made or reported by witnesses with knowledge of relevant facts; (b) my review of publicly-available information relating to the defendants; (c) my review of business records, other documents, and evidence obtained through court orders, subpoenas, and other sources; (d) law enforcement surveillance, including both physical surveillance and the use of pole cameras; (e) my review of photographs and video involving the defendants; and (f) court-authorized interceptions of wire and electronic communications occurring over Rocco DePoder's telephones (Target Phone-1 and Target Phone-2) and Michael DePoder's telephone (Target Phone-5) during the relevant time period of this Complaint.

6. Because this Criminal Complaint is being submitted for the limited purpose of establishing probable cause, it does not include every fact that I have learned during the course of the investigation. Where the content of documents and the actions, statements, and conversations of individuals are recounted herein, they are recounted in substance and in part, and the content of statements and meetings are based on partial, non-verbatim summaries of the conversations based on descriptions of the conversations prepared by federal law enforcement personnel who monitored court-authorized wiretaps. All dates and times are approximate. Unless otherwise indicated, conversations and communications referred to herein were recorded.

A. The Controlled Substances Involved in this Offense

7. The Controlled Substances Act ("CSA"), codified in Title 21 of the United States Code, and its promulgating regulations, classified drugs into five schedules depending on a drug's acceptable medical use and its abuse and dependency potential.

8. Schedule I controlled substances, such as heroin, do not have an acceptable medical use in the United States. Schedule II through Schedule V controlled substances have acceptable medical uses.

9. The medical use of Schedule II controlled substances are severely restricted because such drugs have a high potential for abuse. Schedule II controlled substances include prescription medicines such as such as oxycodone (commonly known by the brand names OxyContin and Percocet¹)

¹ Percocet is the brand name for a combination drug which consists of oxycodone and acetaminophen.

and hydrocodone (commonly known as Vicodin) and amphetamines (such as the brand name drug Adderall and dextroamphetamine).

10. As it pertains to the investigation which is the subject of this Affidavit:

a. Oxycodone is a Schedule II controlled substance, which is typically used for the relief of pain. Oxycodone is generally formulated in strengths of 15 milligrams ("mg"), 20 mg, 30 mg, 40 mg, 60 mg, and 80 mg; and when combined with non-controlled substances like acetaminophen, oxycodone comes in strengths of 2.5 mg, 5 mg, 7.5 mg, and 10 mg, with combinations of 325 mg of acetaminophen. It is sold in tablet, capsule, and liquid forms, is marketed either alone as an extended-release medication (for example, OxyContin), immediate-release medication (for example, OxyIR), or, as noted above, in combination with other non-narcotic analgesics like acetaminophen (for example, Oxycet, Percocet, Roxicet, Xartemis XR, others); aspirin (for example, Percodan); and ibuprofen. Illicit dealers/consumers of oxycodone often refer to oxycodone pills by their color or FDA imprint code. For example, 80 mg oxycodone pills are typically green in color; 60 mg pills are typically red; 40 mg pills are typically yellow; and 10 mg and 15 mg pills are typically blue or gray. FDA imprint codes include "OP[,]," which is associated with Purdue Pharma and "RP[,]," which is associated with Rhodes Pharmaceuticals LP supplies. In the Camden and Gloucester City area, I know, based on my training, experience, and information gathered from law enforcement agencies, that estimated street values for these pills are currently as follows:

Dosage	Approx. Bulk Price	Approx. End User Price
80 mg oxycodone	\$25	\$40
60 mg oxycodone	\$20-22	\$30
40 mg oxycodone	\$15-17	\$20
30 mg oxycodone	\$15	\$20-21
20 mg oxycodone	\$7.50	\$15
10 mg oxycodone	\$6	\$10

b. Adderall is a Schedule II controlled substance, which contains a combination of amphetamine and dextroamphetamine. Adderall is often used to treat attention-deficit hyperactivity disorder ("ADHD") and narcolepsy. Adderall and its generic versions are known by street names of

"Addys," "addies," or "ads." I know, based on my training, experience, and information gathered from law enforcement agencies, that estimated street values for these pills are currently as follows in the southern New Jersey area: a 30 mg Adderall will cost approximately \$15 when purchased as an individual pill and \$7.50 when purchased in wholesale quantities.

11. Schedule III controlled substances have a lower abuse potential than those in Schedule II, but a higher abuse potential than those in Schedule IV.

12. Schedule IV substances include alprazolam, a/k/a "Xanax;" diazepam, a/k/a "Valium;" and clonazepam, which are classified as benzodiazepines, a class of psychoactive drugs used to treat a range of conditions, including anxiety and insomnia.

13. As it pertains to the investigation which is the subject of this Affidavit:

a. Alprazolam, sold under the brand name Xanax ("Xanax"), is a Schedule IV controlled substance. Xanax is type of benzodiazepine, which is a central nervous system depressant often prescribed and used to treat anxiety disorders. Xanax is classified as a Schedule IV controlled substance because it can be abused and lead to dependence. Xanax is known by street names including "footballs[.]" "bars[.]" and "ladders[.]" More specifically, 2 mg Xanax is commonly referred to as "bars" or "ladders[.]" due to the pills being rectangular in shape and masked with score lines, which resemble the rungs of a ladder. One mg Xanax pills are referred to as "footballs" due to their being the profile of a football. I know, based on my training, experience, and information gathered from law enforcement agencies, that estimated street values for these pills are currently as follows in the southern New Jersey area: a 2 mg pill of Xanax will cost approximately \$4-5 when purchased as an individual pill and \$2-3 when purchased in wholesale quantities.

14. Finally, Schedule V controlled substance represent the group with the least potential for abuse.

15. Title 21, United States Code, Section 802(10), provides that the term "dispense" means "to deliver a controlled substance to an ultimate user . . . by, or pursuant to the lawful order of, a practitioner, including the prescribing and administering of a controlled substance and the packaging, labeling or compounding necessary to prepare the substance for such delivery." Section 802(21) of Title 21 defines a "practitioner" to include a "physician."

16. The CSA authorizes Schedule II through Schedule V controlled substances to be dispensed to individuals pursuant to a lawful order, or, in other words, a valid prescription. 21 U.S.C. § 829.

17. In addition to registration requirements imposed by the State of New Jersey, physicians or practitioners must obtain and maintain a registration with the DEA authorizing them to prescribe controlled substances in the Schedules in which they are registered ("Registered Practitioner"). 21 C.F.R. § 1306.03.

II. PROBABLE CAUSE

A. Overview

18. From at least in or about January 2020 to in or about March 2020, Rocco DePoder ("DEPODER"), who is not a doctor or pharmacist, ran a drug trafficking operation primarily out of his home in Gloucester City, New Jersey, aided and assisted by defendants Lolita Paynter ("PAYNTER"), Neal Thompson ("THOMPSON"), Marcus Rushworth ("MRUSHWORTH"), Robert Pratt ("PRATT"), Wayne Muse ("MUSE"), Kenneth Rushworth ("KRUSHWORTH"), Alexander Siaca ("SIACA"), Holly Clark ("CLARK"), and Michael DePoder ("MDEPODER") (collectively, the "Suppliers"), who, as specific opportunities arose, agreed to or did assist in supplying DEPODER with quantities of controlled substances ("CS"), including oxycodone, Adderall, and Xanax, for DEPODER to distribute to others.²

19. DEPODER and the Suppliers employed the following methods and means in furtherance of this drug trafficking conspiracy: (a) DEPODER would solicit the Suppliers, primarily over the telephone, to supply him with saleable quantities of CS, including oxycodone, Adderall and Xanax; (b) DEPODER would receive such CS, including oxycodone, Adderall and Xanax, from or through the Suppliers at DEPODER's home and other locations in Southern New Jersey; (c) DEPODER would take orders for CS, including oxycodone, Adderall, and Xanax, from buyers primarily over the telephone; (d) DEPODER would provide buyers with CS at his home and other locations in Southern New Jersey; and (e) DEPODER, the Suppliers and the buyers would take steps to conceal this narcotics trafficking operation, including employing codes and oblique references in communications about CS transactions conducted over the telephone.

² Neither DEPODER nor any of the Suppliers are authorized by federal law to distribute controlled substances or are licensed within the State of New Jersey to prescribe controlled substances.

B. Summary of Acts in Furtherance of the Conspiracy

20. The following chart provides a summary of specific acts committed by DEPODER and the Suppliers in furtherance of this drug trafficking conspiracy:

Defendant	Affirmative Acts	¶ Key
DEPODER	DEPODER acquired and distributed and agreed to acquire and distribute pills from and to multiple persons.	<i>Passim</i>
PAYNTER	PAYTNER traveled with DEPODER to a pharmacy to obtain re-distribution quantities of oxycodone for DEPODER.	21(a) 21(j) 21(q)
THOMPSON	THOMPSON facilitated the acquisition of re-distribution quantities of Xanax and Adderall to DEPODER.	21(b) 21(r)
MRUSHWORTH	MRUSHWORTH worked with DEPODER to facilitate the distribution of controlled substances to customers.	21(b) 21(d) 21(o)
PRATT	PRATT supplied re-distribution quantities of oxycodone to DEPODER and solicited DEPODER to provide more oxycodone.	21(c) 21(f) 21(p)
MUSE	MUSE facilitated the acquisition of re-distribution quantities of controlled substances to DEPODER.	21(e) 21(m)
KRUSHWORTH	KRUSHWORTH worked with DEPODER to facilitate the acquisition and distribution of controlled substances.	21(a) 21(e) 21(g)
SIACA	SIACA agreed to supply a re-distribution quantity of Xanax to DEPODER.	21(h)
CLARK	CLARK agreed to supply a re-distribution quantities of Xanax to DEPODER.	21(i) 21(n)
MDEPODER	MDEPODER supplied re-distribution quantities of Adderall to DEPODER.	21(k) 21(l)

C. Specific Instances in Which DEPODER Purchased and Attempted to Purchase Controlled Substances, including Oxycodone, Adderall, and Xanax from the Defendant Suppliers, and Distributed Controlled Substances to Customers

21. To further this drug trafficking operation, DEPODER and the Suppliers engaged in the following conduct:

a. **On or about January 10, 2020, DEPODER and PAYNTER traveled to a pharmacy to obtain a re-distribution quantity of Oxycodone for DEPODER.** Specifically, on this date, PAYNTER telephoned DEPODER and made arrangements to meet DEPODER to sell DEPODER 60 OxyContin ER 60 mg tablets. During the call, DEPODER asked, "Wat, are you getting 'em?" PAYNTER stated, "Yeah," and DEPODER then agreed to pick PAYNTER up in his vehicle. According to law enforcement surveillance, later the same day, PAYNTER went to the pharmacy counter of a pharmacy in Camden, New Jersey ("Camden Pharmacy-1") while DEPODER waited, with KRUSHWORTH, outside in his black GMC Yukon Denali SUV (the "Denali"). KRUSHWORTH left the Denali, walked down the street to a taxi cab, and left the area in the taxi. A short time later, PAYNTER left the pharmacy and got back in DEPODER's Denali. DEPODER then drove PAYNTER to a check cashing business in Camden. PAYNTER went into the check cashing business, remained for a short time, returned to the Denali, and then DEPODER drove her back to Camden Pharmacy-1 to obtain oxycodone to provide to DEPODER. According to pharmacy information, on this date, January 10, 2020, Camden Pharmacy-1 filled two prescriptions in the name of a senior citizen who appears to live with PAYNTER ("Senior-1") for 60 OxyContin ER 60 mg ER tablets and 120 oxycodone-acetaminophen 10-325 mg pills.

b. **On or about January 14, 2020, THOMPSON facilitated a sale of a re-distribution quantity of Xanax to DEPODER.** Specifically, on this date, THOMPSON, speaking to DEPODER over the telephone, asked, "[s]he said you ready?" DEPODER replied, "She's ready now?" And THOMPSON said "yeah." DEPODER told THOMPSON that DEPODER was on his way to THOMPSON's house. Minutes later, DEPODER called THOMPSON and asked, "did she say she's got 'em on her" "'cuz remember last time[.]" and THOMPSON assured DEPODER, "[s]he's got 'em. She just told me." Approximately 30 minutes later, DEPODER called THOMPSON and said, "I'm outside, Neal[.]" DEPODER then called MRUSHWORTH and said, "I'm on my way to Lindenwold right now, with uh my boy over here. Get some of them footballs" – using a slang term for Xanax pills, due to their oblong shape. MRUSHWORTH asked, "how many" to which DEPODER replied, "I get sixty off this lady." MRUSHWORTH told DEPODER, "I'll call [Individual-1][.]" DEPODER

responded, “[a]lright. Yeah, yeah. I forgot about that guy: Yeah.” According to law enforcement surveillance, THOMPSON then got into DEPODER’s Denali, and DEPODER and THOMPSON drove to an apartment complex in Lindenwold, New Jersey to obtain the 60 Xanax pills.

c. **On or about January 14, 2020, PRATT supplied a re-distribution quantity of Oxycodone to DEPODER.** Specifically, on this date, during a telephone conversation, PRATT asked if DEPODER was at DEPODER’s home and told DEPODER, “I got 45, you want ‘em?” DEPODER replied, “Yeah, bring ‘em over.” During the call, DEPODER also told PRATT, “Hey listen, I got them things too if you want ‘em.” PRATT responded, “Yeah, I’ll take them next week when I bring ya the other half.” According to pharmacy information, PRATT fills prescriptions, in his own name, on a monthly basis for 90 OxyContin 80 mg pills. Based on my training and experience, the content of these calls, and my knowledge of the investigation to date, I believe that PRATT was referring to the two halves of his monthly prescription for 90 OxyContin 80 mg pills. According to law enforcement surveillance, a short time later, a car, registered to PRATT, arrived and parked in front of DEPODER’s home, and a white male, believed to be PRATT, left the vehicle and entered DEPODER’s home.

d. **On or about January 16, 2020, MRUSHWORTH and DEPODER worked out pricing of pills sold by the operation, and DEPODER explained that, “I do this for a living.”** Specifically, MRUSHWORTH sent a text message to DEPODER’s telephone telling DEPODER “we was wrong yesterday” regarding pill pricing, stating “we did it as 9x3-27 no it’s 3x30-90[.]” DEPODER and MRUSHWORTH then spoke on the telephone and discussed CS pricing. DEPODER told MRUSHWORTH, “[i]t ain’t no 30 times 3[.]” instead, “[t]hey’re three for \$10, Marc. They’re, they’re footballs [which I believe, based on my training and experience and information from this investigation, is a reference to Xanax, because of the pills’ oblong shape]. They’re three for 10. You got nine 10s in, in, in 90. Nine times three is 27. I do this for a living, bro. Thirty is 100. I, I’ve been doing this, you know, for, for ages.” DEPODER went on to explain that, “[y]ou get 30 for 100. Hey, listen, 15 is \$50.” MRUSHWORTH told DEPODER, “[y]eah, he didn’t say nothing.” As the conversation continued, DEPODER told MRUSHWORTH, “[a]nd, and, and the other ones are three for 20.” MRUSHWORTH responded, “Daddy’s selling something for \$3 a piece, that’s where I’m getting the \$3” – referring to another dealer as “Daddy[.]” DEPODER replied, “Oh, oh alright. Yeah, he’s sells ‘em-yeah he sells ‘em ‘cause you got that guy. He was selling them 2.50 a piece. Two for five.” DEPODER asked MRUSHWORTH, “So why are you selling them so cheap, Marc? He’s paying three for 10 off of me. He’s been doing that

forever, and that, that's what you'll pay anywhere you go. Downtown you'll pay \$5 for one[.]” DEPODER added, that the dealer that MRUSHWORTH referred to “should be charging three for 10, because that's what he pays me. . . . Remember, the- the other things are three for 20. Because there's six of 'em in them.” MRUSHWORTH then told DEPODER that “[h]e handed me \$90[.]” referring MRUSHWORTH's customer, so MRUSHWORTH made a profit.

e. On or about January 17, 2020, MUSE facilitated a sale of a re-distribution quantity of a controlled substance to DEPODER and KRUSHWORTH, with planning that occurred on January 15 and 16, 2020.

Specifically, on or about January 15, 2020, during a telephone conversation, MUSE told DEPODER, “[a]lright, be ready tomorrow.” From the background, over DEPODER's telephone, KRUSHWORTH interjected “[h]ey Wayne!” and stated, “[y]ou owe me like 1900 for hooking this shit up, bro. I had to get the fucking money what the fuck[.]” KRUSHWORTH and DEPODER then acknowledged that they would see MUSE the next day. Then, on January 16th, during a telephone call, MUSE told DEPODER, “she can't get them today but that she can get them tomorrow[.]” alluding to CS. MUSE also mentioned, “I got some food . . . if you want to come get it.” DEPODER indicated he would get it the following day. On January 17, 2020, DEPODER received another telephone call from MUSE, who told DEPODER to come to MUSE's home. DEPODER told MUSE that he (DEPODER) would be at MUSE's home in about 45 minutes and instructed MUSE to “tell her [referring to the female who MUSE and DEPODER talked about the day before] don't panic, I'm comin'.” According to law enforcement surveillance, later the same day, DEPODER drove his Denali to MUSE's home in Lindenwold, New Jersey. MUSE joined DEPODER in the Denali, and the two drove to another residence in Lindenwold where a blue minivan was waiting outside. Once there, MUSE met for a short time with a person who was waiting in a blue minivan while DEPODER waited in the Denali. MUSE then returned to the Denali, and DEPODER and MUSE drove away. Based on these telephone calls and DEPODER's and MUSE's subsequent conduct on January 17, 2020, MUSE and DEPODER picked up a quantity of pills from this source of supply.

f. On or about January 23 and 24, 2020, PRATT supplied a re-distribution quantity of Oxycodone to DEPODER. On or about January 23 and 24, 2020, PRATT telephoned DEPODER and made arrangements to stop by DEPODER's home in Gloucester City. During the phone call on or about January 24th, DEPODER asked PRATT, “how many you got?” PRATT responded, “[y]eah remember you got 45 last time?,” a reference to the 45 oxycodone pills that PRATT had sold to DEPODER the week before, as set forth above in paragraph 21(c). Shortly after, PRATT's car arrived outside

DEPODER's home, and PRATT went into DEPODER's home to deliver more pills to DEPODER.

g. On or about January 25, 2020, KRUSHWORTH and DEPODER discussed the availability of pills, likely Oxycodone.

Specifically, on this date, KRUSHWORTH telephoned DEPODER and told DEPODER, "I need \$1100 at the hall[.]" DEPODER told KRUSHWORTH, "Oh, alright. I will be there. You need 1100 for the hall, the hall is 400[.]" KRUSHWORTH replied, "I know but, you know, for the candy, the green candy, the red candy[.]" (which, I believe, based on my training and experience and information from this investigation, to likely be red-colored 60 mg. oxycodone pills and green-colored 80 mg. oxycodone pills). DEPODER answered, "[o]h, okay, oh." DEPODER told KRUSHWORTH, "I'm over on Admiral Wilson Boulevard, and I don't have nothing on me. Let me see what I got. You got any money on you at all?" KRUSHWORTH replied, "[y]eah, but I got the, but, the money, the money I got on me, I need for the people[.]" Approximately 20 minutes later, DEPODER drove to a fire station in or around Gloucester City and met with KRUSHWORTH.

h. On or about January 26, 2020, SIACA agreed to supply DEPODER a re-distribution quantity of Xanax. Specifically, on this date, DEPODER and SIACA agreed over the telephone that DEPODER would purchase a quantity up to "16 white ones" and "12 blue ones" of CS (here, which I believe, based on my training and experience to likely be Xanax, due to the cost of the pills) from SIACA for approximately \$4.50 per pill. During a series of telephone calls that day arranging the sale, DEPODER expressed concern to SIACA that the pills were fake, but SIACA assured DEPODER that his source of supply was "no bullshit person." Satisfied, DEPODER told SIACA that he would buy SIACA's source of supply's pills "every month," which message SIACA agreed to pass on to his source of supply. Thereafter, that same day, SIACA went to DEPODER's home in Gloucester City to deliver the pills.

i. On or about January 26, 2020, DEPODER agrees with CLARK to obtain a re-distribution quantity of Xanax. In this regard, on this date, CLARK sent a text message to DEPODER stating, "hv 60 of them now n id really like to hv some to get them Christmas presents. Lmk n i understand if you cant do it[.]" DEPODER responded, "Polly let me get them bars you have and I'll pay you for them now and then next month we can worry about the other[.]" "Polly" was likely a typo used by DEPODER to refer to "Holly." "[B]ars" is a common coded drug reference to Xanax. Later that day, subsequent communications indicate DEPODER and CLARK met in Gloucester City.

j. **On or about February 10, 2020, DEPODER and PAYNTER travel to a pharmacy to obtain a re-distribution quantity of Oxycodone for DEPODER.** Specifically, on this date, PAYNTER telephoned DEPODER and asked if he could pick her up. DEPODER remarked, "I thought you said the 11th. Today ain't the 11th. Is it?[,]" to which PAYNTER replied, "but it was on the 10th." DEPODER and PAYNTER communicated several times thereafter to make arrangements to meet. Later the same day, DEPODER called PAYNTER and told her "I'm in Gloucester. I'm going to run into my house and grab my money. I'll be there in about 10 minutes." Shortly thereafter, PAYNTER left her residence in Camden and got into DEPODER's waiting Denali. DEPODER and PAYNTER were surveilled driving to Camden Pharmacy-1, where PAYNTER went inside to obtain oxycodone to provide to DEPODER, emerged a short time later, and returned to the Denali. According to pharmacy information, on this date, February 10th, Camden Pharmacy-1 filled two prescriptions on behalf of Senior-1 for 60 OxyContin ER 60 mg extended release tablets and 120 oxycodone-acetaminophen 10-325 mg pills.

k. **On or about February 11, 2020, MDEPODER agrees to supply a re-distribution quantity of Adderall to DEPODER.** Specifically, on this date, MDEPODER telephoned DEPODER and asked ". . . do you need them things or what?" DEPODER asked, "[w]hat things[,]" to which MDEPODER replied, "You know the fucking Adderall." DEPODER responded, "Yeah, what the fuck - yeah I always need 'em . . ." MDEPODER agreed to call DEPODER either later that day or the next day. Later the same day, MDEPODER called DEPODER and stated, "Sixty[,]" referring to a quantity of pills DEPODER replied, "I need them, man." MDEPODER and DEPODER agreed to speak the next day.

l. **On or about February 12, 2020, MDEPODER supplied a re-distribution quantity of Adderall to DEPODER.** Specifically, on this date, MDEPODER telephoned DEPODER and said, "I um, I have sixty of these - it's four-fifty when you ready" (60 Adderall pills for \$450). MDEPODER explained, "fifty of 'ems not even mine. I only have ten, but fifty of 'ems [Individual-2's]" which Individual-2 uses to pay MDEPODER when Individual-2 "gets my things off me" (likely referring to CS). MDEPODER told DEPODER, "I got 'em in my pocket so I'll meet you today." Thereafter, that same day, according to law enforcement surveillance, DEPODER met MDEPODER outside MDEPODER's home in Gloucester City to deliver the Adderall pills.

m. **On or about February 13 and 14, 2020, MUSE facilitated a sale of a re-distribution quantity of a controlled substance to DEPODER.**

In this regard, on February 13th, MUSE telephoned DEPODER and told DEPODER to come to MUSE's residence the next day. The following day, on or about February 14, 2020, over the telephone, DEPODER and MUSE made plans to meet. Prior to the meeting, DEPODER sent MUSE a text message asking, "Wayne how many[.]" MUSE responded, "60" – referring to 60 pills. DEPODER replied, "K[.]" Later the same day, according to law enforcement surveillance, DEPODER drove to MUSE's home in Lindenwold and picked MUSE up in the Denali. DEPODER and MUSE then drove to the same area in Lindenwold, New Jersey where they met on January 17, 2020, as set forth above in paragraph 21(e). Once there, MUSE left the Denali and entered a waiting blue minivan – the same minivan that was involved in the January 17th transaction. A short time later, MUSE returned to the Denali, and MUSE and DEPODER left the area. Based on these telephone calls, my training and experience, DEPODER's and MUSE's conduct on February 14th, and their earlier conduct on January 17th, I believe MUSE and DEPODER picked up a quantity of pills from this source of supply.

n. **On or about February 14, 2020, CLARK agreed to provide DEPODER with a re-distribution quantity of Xanax.** Specifically, on this date, CLARK called DEPODER and asked "[c]an I give you 60 take a hundred off my bill with you?" After their conversation, CLARK sent a text message to DEPODER asking, "Wanna mk sure my count it good. How many did i say[?]" DEPODER responded, confirming "60[.]" and sent another test message stating, "Well I'll take more if you wanna get rid of more[.]" Because CLARK supplied DEPODER with Xanax pills on previous occasions, DEPODER and CLARK likely negotiated and agreed that CLARK would sell DEPODER another 60 Xanax pills.

o. **On or about February 17, 2020, MRUSHWORTH facilitates a sale by DEPODER of Oxycodone to a customer.** Specifically, on this date, MRUSHWORTH told DEPODER, over the telephone, that an associate of MRUSHWORTH's was looking to buy "10s or 15s[.]" DEPODER replied, "[w]hat percs?" [a reference to Percocet pills] To which MRUSHWORTH said, "Yeah. No oxy[.]" and DEPODER replied, "oh, you mean, uh, 20s or 30s?" MRUSHWORTH said, "Yeah, them too." DEPODER responded that DEPODER had "the 20's." and "they're 10" – namely 20 mg. pills containing oxycodone for \$10 each. MRUSHWORTH told DEPODER, "I'll call him back" and it "[w]on't be 'til five o'clock when he gets home from work[.]" DEPODER interrupted, stating, "Oh okay, okay okay, good, alright. Go ahead. I got what he wants. Yep."

p. **On or about February 29, 2020, PRATT solicits a sale by DEPODER of Oxycodone.** Specifically, on this date, PRATT sent a text message to DEPODER's telephone asking, "Yo I'll gonna come c u mid month if want them ?" DEPODER replied, "Ok I want me to hold 20's" – "20's" is a term frequently used by DEPODER to refer to 20 mg pills of oxycodone. PRATT replied, "Just 20."

q. **On or about March 2, 2020, DEPODER and PAYNTER travel to a pharmacy to obtain a re-distribution quantity of Oxycodone for DEPODER.** Specifically, on this date, PAYNTER sent a text message to DEPODER stating, "[g]ood morning Rocco do u have the \$200 today might be able to get them today I text u when they open ok[.]" DEPODER replied, "[w]hat about the \$50 you owe me lo C this is one talking about every time I lend you money something happens to your checks and then you want me to buy the pills" DEPODER and PAYNTER communicated several more times thereafter and made arrangements to meet. Later the same day, according to law enforcement surveillance, while driving the Denali, DEPODER picked PAYNTER up at her home in Camden, and took her to Camden Pharmacy-1. PAYNTER entered Camden Pharmacy-1 to obtain oxycodone to provide to DEPODER and then returned to DEPODER's waiting Denali. According to pharmacy information, on March 2, 2020, Camden Pharmacy-1 filled one prescription on behalf of Senior-1 for 30 OxyContin ER 20 mg extended release tablets.

r. **On or about March 5, 2020, THOMPSON arranged for DEPODER to sell Adderall to Individual-3.** Specifically, on this date, during a telephone conversation, THOMPSON asked DEPODER, "you got addas, adderalls?" DEPODER responded, "Yeah, 30's, that's all[.]" stating that DEPODER only had 30 mg Adderall in stock. THOMPSON replied, "Alright, and what do you want for them?" DEPODER said, "Fifteen[.]" namely \$15 per pill. THOMPSON advised, "[a]lright, I'm a tell her." Later that evening, THOMPSON spoke to DEPODER again on the telephone, and the interception began with THOMPSON speaking to someone in the background, stating, "[y]eah, this is different ones, he only got 30's." THOMPSON then spoke to DEPODER and said, "[s]he wanna come out your way bro." THOMPSON then told DEPODER, "[t]he lady with the Range Rover, you know the one buy the addies off you?" THOMPSON then corrected himself as to the make of the customer's car, stating that it was "a Land Rover now." DEPODER gave THOMPSON the address of DEPODER's home and asked "how many she want." THOMPSON told DEPODER "7[.]" Thus, THOMPSON arranged for DEPODER to sell an individual ("Individual-3") 7 30 mg. Adderall pills. Shortly thereafter, Individual-3 called DEPODER and told DEPODER, "I'm outside." Law

enforcement surveillance observed a Land Rover park on the street outside DEPODER's home in Gloucester City. DEPODER walked out of his home, approached the Land Rover, appeared to conduct a hand-to-hand transaction with the driver of the Land Rover, and returned to his home. Later that evening, Individual-3 sent DEPODER a text message stating, "This is [Individual-3] . . . please don't forget me. I buy 40-60ml adds a month or the 15 mg off ever see them I will buy them." Thus, Individual-3 told DEPODER that she wanted to buy additional Adderall pills from him in the future.

s. **DEPODER sold and attempted to sell controlled substances to multiple buyers.** From at least in or about January 2020 through in or about March 2020, DEPODER was recorded attempting to sell and selling CS to multiple buyers. For instance:

i. **On or about January 17, 2020, DEPODER agreed to sell Adderall and Xanax to a customer.** Specifically, on this date, DEPODER exchanged text messages over his telephone with a buyer ("Buyer-1") and told Buyer-1 "all I have is 3 footballs [a type of Xanax pill], 1 bar [another type of Xanax pill], and all the add IES [Adderall pills] you want[.]" DEPODER continued that "Monday supposed to get the bars now[.]" indicating that DEPODER expected to obtain a resupply of Xanax pills within days. Buyer-1 replied, "Ok hold on to want bars and footballs and three ads[.]" namely Buyer-1 sought to buy DEPODER's stock of the two types of Xanax pills and three of DEPODER's Adderall pills. Buyer-1 and DEPODER discussed meeting at a location in or around Gloucester City. Buyer-1 asked DEPODER "how much does that come to" and DEPODER told Buyer-1 "47" (likely \$47). Subsequent communications indicate that, later the same day, DEPODER and Buyer-1 met at the agreed-upon location.

ii. **On or about February 23, 2020, DEPODER agreed to sell Oxycodone to a customer.** Specifically, on this date, DEPODER spoke on the telephone with a buyer ("Buyer-2") who asked if DEPODER had "green monsters" (80 mg oxycodone pills) and "one below it" (60 mg oxycodone pills). DEPODER told Buyer-2, "[y]eah, yeah[.]" namely, he had the pills in stock, and Buyer-2 replied that "I'll be [at DEPODER's home in Gloucester City] in like 10 mins[.]" DEPODER then asked Buyer-2, "[w]hatcha need?" Buyer -2 stated, "[j]ust one and one 60[.]" referring to 1 80 mg oxycodone pill and one 60 mg oxycodone pill. Later the same day, subsequent communications and surveillance indicate that DEPODER and Buyer-2 met at DEPODER's home in Gloucester City.

iii. **On or about March 3, 2020, DEPODER agreed to sell Oxycodone to a customer.** Specifically, on this date, during a telephone call, Buyer-2 told DEPODER that “I (Buyer-2) need two of them green pills and one red one[.]” DEPODER responded, “[a]right[.]” Buyer-2 told DEPODER that Buyer-2 would “be like fifteen, twenty minutes” and DEPODER replied, “I’ll be here[.]” Later the same day, subsequent communications and surveillance indicate that DEPODER and Buyer-2 met at DEPODER’s home in Gloucester City.