

ATTACHMENT A

From at least in or around August 2019 through in or around April 2020, in Hudson County, in the District of New Jersey and elsewhere, the defendant,

JONATHAN BROWN,

did knowingly and intentionally conspire and agree with others to commit an offense against the United States, namely, not being a licensed importer, licensed manufacturer, licensed dealer, or licensed collector of firearms, to transfer, sell, trade, give, transport, and deliver any firearm, to any person other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector of firearms, and knowing and having reasonable cause to believe that said persons did not reside in the States in which the transferor resided, contrary to Title 18, United States Code, Sections 922(a)(5) and 924(a)(1)(D).

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

ATTACHMENT B

I, Cyril Pereira, am a Special Agent with the United States Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”). 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 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.

Background

1. During an investigation into firearms recovered in Jersey City, New Jersey, law enforcement learned that defendant Jonathan Brown (“Brown”) led a scheme to purchase firearms in or around Georgia, where he resides, and traffic those firearms to individuals in Jersey City, New Jersey. In particular, law enforcement learned that Brown, who is barred from purchasing firearms himself due to multiple prior felony convictions, used straw purchasers in Georgia to obtain the firearms so that Brown could sell those firearms to others. Then, on multiple occasions, Brown brought firearms from Georgia to New Jersey to sell to others.

2. Within months of Brown’s trips to Jersey City, law enforcement arrested numerous individuals in Jersey City in possession of firearms purchased by Brown’s straw purchasers. At least one of the weapons trafficked by Brown was later used in the shooting of another person in Jersey City. Additionally, at least one of the individuals in possession of one of Brown’s guns had a prior felony conviction.

Investigation

3. On a date in August 2019 (the “August Date”), and again on a date in September 2019 (the “September Date”), an individual acting as a straw purchaser for Brown (“Straw Purchaser-1”) bought multiple firearms from lawful firearm sellers in Georgia (the “Sellers”).

4. On both the August Date and the September Date, Brown’s phone and Straw Purchaser-1’s phone were in contact on numerous occasions. Moreover, on both the August Date and the September Date, location data for Brown’s phone and Straw Purchaser-1’s phone indicated that they were in the same location, including in the location of the respective Sellers where Straw Purchaser-1 obtained the firearms.

5. On a date in September 2019 (the “September Date-2”), another individual acting as a straw purchaser for Brown (“Straw Purchaser-2”) bought multiple firearms from a lawful seller in Georgia.

6. The day after September Date-2, Brown’s phone and Straw Purchaser-2’s phone were in contact.

7. In addition to placing Brown in the same vicinity of Straw Purchaser-1’s phone, the location data for Brown’s phone also showed that Brown traveled from Georgia to New Jersey within days of the straw purchasers obtaining guns for him. For example, within days of the August Date, location data for Brown’s phone indicated that Brown traveled to Jersey City, New Jersey. Within days of the September Date and the September Date-2, location data for Brown’s phone indicated that Brown again traveled to Jersey City, New Jersey.

8. Within months after Brown illegally sold those firearms in New Jersey, law enforcement recovered several of the guns from individuals in Jersey City. Moreover, at least one of those individuals used the gun that Brown unlawfully obtained and sold in a dangerous and near-deadly shooting. For example:

a. On or about October 12, 2019, law enforcement arrested Hasan Mosby (“Mosby”) after he used a firearm, purchased by Straw Purchaser-1 on the August Date, in the shooting of another person in Jersey City. Mosby had a prior felony conviction at the time of his arrest.

b. Similarly, on or about January 19, 2020, law enforcement arrested Darby Shirden (“Shirden”) in possession of a loaded firearm, purchased by Straw Purchaser-1 on the September Date, in Jersey City. Law enforcement apprehended Shirden a short time after—and within a few blocks of—where shots were fired.

c. Likewise, on or about January 29, 2020, law enforcement arrested Naikyll Bell (“Bell”) in possession of a loaded firearm, purchased by Straw Purchaser-1 on the September Date, in Jersey City.

d. Lastly, on or about March 30, 2020, law enforcement arrested Jawon Lesuer (“Lesuer”) in possession of a loaded firearm, purchased by Straw Purchaser-2 on the September Date-2, in Jersey City.

9. During the investigation, pursuant to a search warrant, law enforcement reviewed Brown’s Instagram account records, which included communications relating to the purchase and sale of firearms. For example:

a. On or about September 15, 2019, Brown asked an Instagram user (“User-1”) the following: “Sup.. y’all need some toys??” User-1 responded:

“Helllllll yea. Price[?]” Brown responded: “Low price we family.” Brown then instructed User-1 to call him on FaceTime (an application that allows users to have virtual face-to-face conversations), and provided his phone number. Based on my training and experience, and knowledge of the investigation, “toys” was a reference to firearms.

b. On or about January 30, 2020, an Instagram user (“User-2”) asked Brown: “you comin to check the family any time soon?” Brown responded: “Yeah soon but prolly not soon enough. You tryna put in a order?” User-2 responded: “Oh ight bet yea.” Brown asked: “What you looking for??? Like in particular.” User-2 responded: “Compact shit.” Brown responded: “Like them lil shits I had up there before?” User-2 responded: “Yeah those cool . . . I need at least 2. 3 the most.” Brown responded: “Aight I only got 1 of them right now. And my sister bout to come up there soon. Let me see if I could get my hands on some more before she leave from down here.” Based on my training and experience, and knowledge of the investigation, the “order” was for firearms, in particular “compact”-sized handguns.

c. On or about September 25, 2019, Brown asked an Instagram user (“User-3”) the following: “Which pawn shop you at??” User-3 responded: “I’m in Alabama. In opelika but I’m sure Atlanta got a colorvision.” Brown responded: “Yeah they do.. it’s just hard to find extendos lol.” The two continued to discuss where to find pawnshops, and User-3 states: “Word that’s y I thought they’ll have colorvision. But everywhere sell guns.” Brown responded: “Yeah I already know..” Based on my training and experience, and knowledge of the investigation, Brown and User-3 were discussing where to purchase firearms, including those with “extendos,” i.e., extended magazines.

d. In a separate conversation with User-3, on or about November 14, 2019, Brown stated: “Sh*t I drive to jersey sometimes lol.”

10. In total, law enforcement believes that Brown unlawfully obtained at least approximately twenty-one firearms. To date, law enforcement has recovered approximately seven of those firearms in Jersey City, New Jersey. Moreover, not only was Brown not permitted to purchase firearms due to his prior felony convictions, at no time did he have a license to import, manufacture, deal in, or collect firearms.