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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA : **CRIMINAL COMPLAINT**  
 :  
 v. : Honorable Cathy L. Waldor  
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 MALIK HOLLOWAY : Mag. No. 20-9298 (CLW)  
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 :

I, David L. Scanlon, the undersigned complainant 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 Bureau of Alcohol, Tobacco, Firearms and Explosives and that this complaint is based on the following facts:

**SEE ATTACHMENT B**

*s/ David L. Scanlon*

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David L. Scanlon, Task Force Officer  
Bureau of Alcohol, Tobacco, Firearms and  
Explosives

Task Force Officer David L. Scanlon attested to this Complaint by telephone pursuant to FRCP 4.1(b)(2)(A) on the 21st day of July, 2020.

Honorable Cathy L. Waldor  
United States Magistrate Judge

*s/ Cathy L. Waldor*

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Signature of Judicial Officer

**ATTACHMENT A**

**COUNT ONE**

(Possession of a Firearm and Ammunition by a Convicted Felon)

On or about July 13, 2020, in Hudson County, in the District of New Jersey and elsewhere, the defendant,

**MALIK HOLLOWAY,**

knowing that he had previously been convicted in a court of at least one crime punishable by a term of imprisonment exceeding one year, did knowingly possess in and affecting commerce a firearm and ammunition, namely a Glock Model 17 9mm handgun, bearing serial number BGLU012, with a large capacity magazine containing 18 rounds of 9mm ammunition.

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

## **ATTACHMENT B**

I, David L. Scanlon, am a Task Force Officer with the Bureau of Alcohol, Tobacco, Firearms and Explosives. 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 photographs of the 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.

1. On or about July 13, 2020, at approximately 8:23 p.m., a Jersey City Police Department ("JCPD") officer was viewing a live surveillance camera located on Neptune Avenue in Jersey City and observed what he believed to be the transfer of a firearm between two individuals. Members of JCPD were dispatched to that area for further investigation and arrived approximately thirty minutes after the exchange was observed.

2. Upon arrival to the area of Neptune Avenue, JCPD officers observed a large group of people. As officers exited their vehicles, they approached the group to conduct field inquiries.

3. One of the officers observed MALIK HOLLOWAY begin to walk away from the group. Upon approach of HOLLOWAY, the officer observed what appeared to be a bulge protruding from the center of HOLLOWAY's waistband area and HOLLOWAY smelled of marijuana.

4. HOLLOWAY was stopped and the officer did a pat down for weapons. The officer felt what he believed to be a handgun in HOLLOWAY's waistband. The officer recovered the handgun from HOLLOWAY and it was determined to be a Glock Model 17 9mm handgun, bearing serial number BGLU012, with a large capacity magazine containing 18 rounds of 9mm ammunition. HOLLOWAY also had a container of marijuana in his shorts' pocket.

5. Prior to knowingly possessing the firearm and ammunition on or about July 13, 2020, HOLLOWAY also knew that he was a convicted felon because on or about February 22, 2013, HOLLOWAY was convicted in the Superior Court of New Jersey, Hudson County, of unlawful possession of a weapon, a handgun, in violation of N.J.S.A. 2C:39-5B, a crime punishable by imprisonment for a term exceeding one year, and for which HOLLOWAY received a sentence of five years' imprisonment.