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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA	:	
	:	<b>CRIMINAL COMPLAINT</b>
v.	:	
	:	Hon. James B. Clark, III
MOHUMMAD SIMMONS,	:	
a/k/a "Mo Waps,"	:	Mag. No. 21-12036
TAMIR BROWN,	:	
a/k/a "Stragg,"	:	
RICO PHANG,	:	
a/k/a "Little Mil,"	:	
DEON DAVIS,	:	
a/k/a "Dee,"	:	
MICHAEL SIMEUS,	:	
a/k/a "Jerk,"	:	
DAVID BOOKER,	:	
DARREL HICKS,	:	
DAQUAN HART,	:	
a/k/a "Day Day,"	:	
JAMIEL FRENCH,	:	
a/k/a "Money Mil," and	:	
TYRIQ REMBERT	:	

I, Ian Paulic, 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 Drug Enforcement Administration and that this complaint is based on the following facts:

**SEE ATTACHMENT B**

*Ian Paulic*

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Ian Paulic, Task Force Officer  
Drug Enforcement Administration

Task Force Officer Paulic attested to this Affidavit by Telephone Pursuant to F.R.C.P. 4.1(b)(2)(A) on January 21, 2021

Honorable James B. Clark, III  
United States Magistrate Judge

Honorable James B. Clark, III  

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Signature of Judicial Officer

**ATTACHMENT A**

**COUNT ONE**

(Conspiracy to Commit Burglary Involving Controlled Substances)

From at least on or about October 11, 2020 to at least on or about December 22, 2020, in the District of New Jersey and elsewhere, the defendants,

**MOHUMMAD SIMMONS,  
a/k/a “Mo Waps,”  
TAMIR BROWN,  
a/k/a “Stragg,”  
RICO PHANG,  
a/k/a “Little Mil,”  
DEON DAVIS,  
a/k/a “Dee,”  
MICHAEL SIMEUS,  
a/k/a “Jerk,”  
DAVID BOOKER,  
DARREL HICKS,  
DAQUAN HART,  
a/k/a “Day Day,”  
JAMIEL FRENCH,  
a/k/a “Money Mil,” and  
TYRIQ REMBERT,**

conspired and agreed, together and with others known and unknown, to enter or attempt to enter, or remain in, without authority, the business premises or property of persons registered with the Drug Enforcement Administration under section 302 of the Controlled Substances Act, with the intent to steal any material or compound containing a quantity of a controlled substance, whose replacement value to the registrant was not less than \$500, contrary to Title 18, United States Code, Section 2118(b)(1).

In violation of Title 18, United States Code, Section 2118(d), and Title 18, United States Code, Section 2.

## **ATTACHMENT B**

I, Ian Paulic, am a Task Force Officer with the Drug Enforcement Administration. 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, photographs, videos, and other items of evidence. 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.

### **The Conspiracy**

1. At all times relevant to this Complaint, defendants MOHUMMAD SIMMONS, a/k/a “Mo Waps” (“SIMMONS”); TAMIR BROWN, a/k/a “Stragg” (“BROWN”); RICO PHANG, a/k/a “Little Mil” (“PHANG”); DEON DAVIS, a/k/a “Dee” (“DAVIS”); MICHAEL SIMEUS, a/k/a Jerk (“SIMEUS”); DAVID BOOKER (“BOOKER”); DARREL HICKS (“HICKS”); DAQUAN HART, a/k/a “Day Day” (“HART”); JAMIEL FRENCH, a/k/a “Money Mil” (“FRENCH”); and Tyriq Rembert (“REMBERT”) (collectively, the “Defendants”) conspired with each other and others to, in various combinations, forcibly enter and burglarize or attempt to burglarize approximately forty pharmacies within the District of New Jersey.

2. In most instances, the Defendants wore dark clothing, facemasks, and gloves. The Defendants typically gained entry to the pharmacies by breaking windows or doors with a brick or a rock. Once inside, certain suspects would enter the business taking various types of controlled substances for the purpose of redistribution. During these burglaries, several controlled substances were prioritized, including codeine, a Schedule II controlled substance, acetaminophen with codeine, a Schedule III controlled substance, and promethazine with codeine, a Schedule V controlled substance.

### **Overt Acts**

3. On or about October 11, 2020, at approximately 4:40 a.m., SIMMONS, PHANG, and another co-conspirator, forcibly entered Victim Pharmacy-1 in Secaucus, New Jersey. Taken during the burglary were controlled substances, including promethazine with codeine, a Schedule V controlled substance. SIMMONS, PHANG, and the third co-conspirator—who are captured on surveillance video—fled the scene in a black Chevrolet Malibu, bearing temporary New Jersey registration V204619, which was registered to SIMMONS (the “Malibu”). Prior to this burglary, the Malibu approached the area of Victim Pharmacy-1 following a silver Pontiac Grand Prix, bearing New Jersey temporary registration V478551 (the “Pontiac”). Immediately after the burglary, the Malibu departed the area following the Pontiac.

4. On or about October 22, 2020, at approximately 3:31 a.m., SIMMONS, PHANG, and another co-conspirator, forcibly entered Victim Pharmacy-2 in North Bergen, New Jersey. Taken during the burglary were controlled substances, including promethazine with codeine, a Schedule V controlled substance. Video surveillance footage from Victim Pharmacy-2 depicted SIMMONS, PHANG, and the other co-conspirator depart Victim Pharmacy-2 and approach the Malibu.

5. On or about October 22, 2020, at approximately 3:47 a.m., PHANG and another co-conspirator forcibly entered Victim Pharmacy-3 in North Bergen, New Jersey, while SIMMONS stood outside as a lookout. Taken during the burglary were controlled substances, including promethazine with codeine, a Schedule V controlled substance. Video surveillance footage from Victim Pharmacy-3 depicted SIMMONS, PHANG, and the other co-conspirator wearing the same clothing seen during the burglary of Victim Pharmacy-2. That video also depicted SIMMONS, PHANG, and the other co-conspirator depart the area of Victim Pharmacy-3 in the Malibu.

6. On or about October 31, 2020, FRENCH was arrested in Kearny, New Jersey in possession of promethazine DM, the National Drug Code ("NDC") number for which matched the substance stolen from Victim Pharmacy-3 on or about October 22, 2020. At the time of FRENCH's arrest, he was driving the Pontiac and PHANG was seated in the front passenger seat.

7. On or about November 6, 2020, at approximately 5:45 a.m., SIMMONS and PHANG forcibly entered Victim Pharmacy-4, in Linden, New Jersey, with the intent to steal controlled substances. Approximately one hour and fifteen minutes before the burglary, at approximately 4:30 a.m., SIMMONS and PHANG were the subjects of a motor vehicle stop in Union, New Jersey, while traveling in the Malibu. Video footage from Victim Pharmacy-4 depicted SIMMONS and PHANG wearing the same clothing that they were seen wearing during the body camera footage from the motor vehicle stop. That video likewise depicted SIMMONS and PHANG depart the area of the burglary of Victim Pharmacy-4 in the Malibu.

8. On or about November 7, 2020, at approximately 6:20 a.m., BROWN and SIMEUS attempted to forcibly enter Victim Pharmacy-5, in North Bergen, New Jersey, with the intent to steal controlled substances. Video surveillance footage from Victim Pharmacy-5 depicted BROWN and SIMEUS depart the area in a red Honda Accord, bearing New Jersey registration U36MAX (the "Honda").

9. On or about November 7, 2020, at approximately 7:14 a.m., Tamir BROWN and Michael SIMEUS forcibly entered Victim Pharmacy-6 in Guttenberg, New Jersey. Taken during the burglary were controlled substances, including promethazine with codeine, a Schedule V controlled substance. Video surveillance from Victim Pharmacy-6 depicted BROWN and SIMEUS wearing the

same clothing that they were seen wearing during the attempted burglary of Victim Pharmacy-5. That video likewise depicted BROWN and SIMEUS depart the area in the Honda.

10. On or about November 11, 2020, at approximately 12:27 a.m., BROWN and SIMEUS forcibly entered Victim Pharmacy-7 in Roselle, New Jersey, with the intent to steal promethazine with codeine, a Schedule V controlled substance. Shortly thereafter at approximately 1:53 a.m., BROWN and SIMEUS forcibly entered Victim Pharmacy-8 in Kenilworth, New Jersey. Taken during the burglary were controlled substances, including promethazine with codeine, a Schedule V controlled substance. Video footage from Victim Pharmacy-8 depicted BROWN and SIMEUS wearing the same clothing that was worn during the burglary of Victim Pharmacy-7 shortly before. This footage likewise depicted BROWN and SIMEUS departing the area in the Honda. Shortly thereafter, at approximately 2:28 a.m., BROWN and SIMEUS were the subjects of a motor vehicle stop in Maywood, New Jersey while driving the Honda. During that stop, SIMEUS was arrested for an outstanding warrant and the Honda was released to BROWN.

11. Meanwhile, on or about November 11, 2020, at approximately 2:30 a.m., SIMMONS, PHANG, and two other co-conspirators, attempted to forcibly enter Victim Pharmacy-9 in Madison, New Jersey. Video surveillance footage from Victim Pharmacy-9 depicted the Malibu in the area of Victim Pharmacy-9 minutes before. Shortly thereafter, at approximately 1:53 a.m., SIMMONS, PHANG, and two other co-conspirators forcibly entered Victim Pharmacy-10 in Basking Ridge, New Jersey. Taken during the burglary were controlled substances, including promethazine with codeine, a Schedule V controlled substance, acetaminophen with codeine, a Schedule III controlled substance, and codeine, a Schedule II controlled substance. Video surveillance footage from Victim Pharmacy-10 shows SIMMONS, PHANG, and the two other co-conspirators wearing the same clothing seen in the surveillance video from Victim Pharmacy-9. Approximately forty-five minutes later, at 3:50 a.m., SIMMONS, PHANG, and two other co-conspirators forcibly entered Victim Pharmacy-11 in Short Hills, New Jersey, with the intent to steal controlled substances. Video surveillance footage from Victim Pharmacy-11 depicted SIMMONS, PHANG, and the other two co-conspirators wearing the same clothing seen in the surveillance videos from Victim Pharmacy-9 and Victim Pharmacy-10.

12. Later that morning, at approximately 5:18 a.m., SIMMONS, PHANG, and the same two co-conspirators forcibly entered Victim Pharmacy-12 in Jersey City, New Jersey. Video surveillance footage from Victim Pharmacy-12 depicted SIMMONS, PHANG, and the other two co-conspirators wearing the same clothing from their prior burglaries. It likewise depicted the Malibu nearby. Almost immediately thereafter, at approximately 5:22 a.m. SIMMONS, PHANG, and the same two co-conspirators forcibly entered Victim Pharmacy-13 in Jersey City,

New Jersey. Again, video surveillance footage depicted SIMMONS, PHANG, and the other two co-conspirators wearing the same clothing. Next, at approximately 5:51 a.m., SIMMONS, PHANG, and the two other co-conspirators attempted to forcibly enter Victim Pharmacy-14 in Jersey City, New Jersey. Video surveillance footage from Victim Pharmacy-14 depicted SIMMONS, PHANG, and the others exit the Malibu shortly before the burglary. With that attempt unsuccessful, PHANG and one of the other co-conspirators forcibly entered Victim Pharmacy-15 Pharmacy in Jersey City, New Jersey, while SIMMONS and the remaining co-conspirator stayed outside. PHANG and the other co-conspirator again were unable to access the controlled substances for which they entered.

13. On or about November 12, 2020, at approximately 3:46 a.m., SIMMONS, BROWN, and another co-conspirator attempted to forcibly enter Victim Pharmacy-16 in North Arlington, New Jersey. Shortly thereafter, at approximately 3:55 a.m., SIMMONS, BROWN, and the third co-conspirator forcibly entered Victim Pharmacy-17 in Lyndhurst, New Jersey. Taken during the burglary were controlled substances, including promethazine with codeine, a Schedule V controlled substance, and acetaminophen with codeine, a Schedule III controlled substance. Video footage from Victim Pharmacy-17 depicted SIMMONS, BROWN, and the third co-conspirator wearing the same clothing seen in the video footage from Victim Pharmacy-16. It likewise showed them exit the Malibu shortly before the burglary and re-enter the Malibu thereafter.

14. On or about November 13, 2020, at approximately 2:52 a.m., law enforcement received a call for an attempted break-in at Victim Pharmacy-18 in Iselin, New Jersey. Video surveillance footage revealed two men in dark clothing throwing bricks at the entrance in an attempt to make entry. That video likewise depicted the two men flee the area upon hearing alarms. As a result of the attempted break-in at Victim Pharmacy-18, law enforcement disseminated an alert to local law enforcement agencies to be aware of potential pharmacy break-ins. In response, Edison Police officers conducted proactive patrol in the area of known pharmacies. While conducting that patrol, officers heard a loud noise coming from the area of Victim Pharmacy-19 in Edison, New Jersey, at approximately 3:47 a.m. After proceeding to Victim Pharmacy-19 to further investigate, officers encountered two men in dark clothing standing in front of Victim Pharmacy-19. Officers also observed a brick on the ground near the pharmacy's entrance. As law enforcement approached, the two men fled on foot. One of the men gestured to a nearby Dodge Durango, bearing New Jersey registration T21MSP (the "Dodge"). Law enforcement immediately stopped the Dodge after it attempted to flee the area but instead struck a street sign. Law enforcement encountered REMBERT in the driver's seat and HICKS in the front passenger seat. Both men were dressed in all black and HICKS had a facemask. Officers also observed plastic gloves and debris from the brick inside the Dodge. Ultimately, law enforcement recovered a total of three phones from the Dodge and the area surrounding Victim Pharmacy-19. Law enforcement thereafter

determined that these three phones belonged to REMBERT, HICKS, and BROWN.

15. On or about November 16, 2020, at approximately 3:41 a.m., SIMMONS and BROWN forcibly entered Victim Pharmacy-20 in Hillside, New Jersey, while BOOKER stood outside as a lookout. Almost immediately after SIMMONS and BROWN entered Victim Pharmacy-20, law enforcement officers—who were lawfully monitoring the Malibu’s location through the use of a court-authorized GPS tracker—surrounded the area. Immediately upon arriving at Victim Pharmacy-20’s entrance, law enforcement observed BOOKER flee toward the Malibu. Shortly after BOOKER’s arrest, and after several minutes of verbal commands to exit the pharmacy, SIMMONS and BROWN exited and were detained. A lawful search of the Malibu revealed two cell phones and a brick of heroin containing forty-eight decks.

16. On or about November 29, 2020, at approximately 5:41 a.m., law enforcement observed a gray Nissan Altima, bearing temporary New Jersey registration V830363, which was registered to DAVIS (the “Nissan”) idling near Victim Pharmacy-21 in Hanover, New Jersey. Law enforcement approached the Nissan and encountered SIMMONS walking in the area. Shortly thereafter, BROWN and HART exited a nearby 7-11 and entered the Nissan.<sup>1</sup>

17. On or about December 1, 2020, at approximately 1:42 a.m., HART forcibly entered Victim Pharmacy-16 in North Arlington, New Jersey, while SIMMONS stood outside as a lookout. Taken during the burglary were controlled substances, including promethazine with codeine, a Schedule V controlled substance, and acetaminophen with codeine, a Schedule III controlled substance. Video surveillance footage from Victim Pharmacy-16 depicted SIMMONS and HART wearing the same clothing that they were observed and recorded wearing in Hanover, New Jersey on November 29, 2020. It likewise depicts SIMMONS and HART flee from Victim Pharmacy-16, at which time HART drops an item, which was subsequently recovered and identified as acetaminophen with codeine. Approximately six minutes later, at 1:48 a.m., SIMMONS and HART forcibly entered Victim Pharmacy-22 in North Arlington, New Jersey.

18. On or about December 7, 2020, at approximately 2:50 a.m., BROWN and PHANG, forcibly entered Victim Pharmacy-23 in Harrison, New Jersey, while SIMMONS and DAVIS stayed outside to serve as lookouts. Video surveillance footage depicted BROWN, PHANG, SIMMONS, and DAVIS enter a silver Honda, bearing temporary New Jersey registration V810284 (the “silver Honda”) after the burglary. Video surveillance likewise depicted the silver Honda casing the

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<sup>1</sup> SIMMONS and BROWN were on pretrial release from their November 16, 2020 arrests at the Victim Pharmacy-20 in Hillside. A condition of their pretrial release was that they have no contact with each other.

area prior to the burglary. Taken during the burglary were controlled substances, including promethazine with codeine, a Schedule V controlled substance. Shortly thereafter, at approximately 3:13 a.m., law enforcement conducted a motor vehicle stop of the silver Honda in Secaucus, New Jersey. DAVIS was driving, SIMMONS was in the front passenger seat, and BROWN and PHANG were seated in the backseat. DAVIS, who was driving without a license, provided consent to search the silver Honda, the results of which revealed one bottle of promethazine with codeine, a Schedule V controlled substance, and one bottle of virtussin, a Schedule V controlled substance. The NDC number on the promethazine with codeine traced the bottle to the Victim Pharmacy-23 in Harrison, New Jersey. BROWN, SIMMONS, PHANG, and DAVIS were all arrested wearing clothing matching that seen in the surveillance video from the burglary of Victim Pharmacy-23.

19. On or about December 22, 2020, at approximately 1:50 a.m., law enforcement approached PHANG and FRENCH while they were standing outside Victim Pharmacy-24 in West New York, New Jersey, pacing back and forth. Due to the fact that a nearby pharmacy in West New York was burglarized two days prior, and due to the fact that PHANG and FRENCH were acting in a manner consistent with casing a location in preparation for the commission of a crime, law enforcement approached PHANG and FRENCH to further investigate. During that inquiry, law enforcement photographed FRENCH and PHANG. Approximately three hours later at 4:50 a.m., PHANG forcibly entered Victim Pharmacy-16 in North Arlington, New Jersey. Surveillance video from Victim Pharmacy-16 depicted PHANG wearing the same clothing he was wearing when he was photographed hours earlier in West New York. Taken during the burglary were controlled substances, including promethazine with codeine, a Schedule V controlled substance.