
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	SUPERSEDING COMPLAINT
	:	
v.	:	
	:	
JUSTIN APONTE,	:	Honorable Cathy L. Waldor
a/k/a "Swav,"	:	
VICTOR BARRIOS,	:	
JOSE FONTANEZ,	:	
a/k/a "Lil' Jose,"	:	
JONATHAN LAKOMY,	:	Mag. No. 23-9000
a/k/a "Jay,"	:	
CHRISTIAN RODRIGUEZ,	:	
a/k/a "Speedy,"	:	
JEZIEL ROMERO,	:	
CHRISTOPHER SOTO,	:	
a/k/a "Spazz,"	:	
ANGEL VALENTIN,	:	
a/k/a "Mo," and	:	<u>FILED UNDER SEAL</u>
IAN WOOTEN,	:	
a/k/a/ "Heartless"	:	

I, Christopher Doukas, 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 Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives and that this criminal complaint is based on the following facts:

SEE ATTACHMENT B

/s/ Christopher Doukas
Christopher Doukas, Special Agent
Bureau of Alcohol, Tobacco, Firearms, & Explosives

Christopher Doukas, Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives, attested to this Affidavit by telephone pursuant to F.R.C.P. 4.1(b)(2)(A) on this 3rd day of January 2023.

/s/ Cathy L. Waldor
Hon. Cathy L. Waldor, U.S.M.J.

ATTACHMENT A

COUNT ONE

(Conspiracy to Distribute Controlled Substances)

From at least as early as in or around May 2022 through in or around January 2023, in Union County, in the District of New Jersey and elsewhere, defendants,

JUSTIN APONTE,
a/k/a "Swav,"
JOSE FONTANEZ,
a/k/a "Lil' Jose,"
JONATHAN LAKOMY,
a/k/a "Jay,"
JEZIEL ROMERO,
ANGEL VALENTIN,
a/k/a "Mo," and
IAN WOOTEN,
a/k/a/ "Heartless,"

did knowingly and intentionally conspire with each other and others to distribute and possess with intent to distribute 400 grams or more of a mixture and substance containing a detectable amount of fentanyl, a Schedule II controlled substance, and 28 grams or more of a mixture and substance containing a detectable amount of cocaine base, contrary to Title 21, United States Code, Sections 841(a)(1), (b)(1)(A), and (b)(1)(B).

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

COUNT TWO
(Firearms Trafficking Conspiracy)

From at least as early as in or around July 2022 until at least in or around December 2022, in Union County, in the District of New Jersey and elsewhere, defendants,

JUSTIN APONTE,
a/k/a "Swav,"
VICTOR BARRIOS,
CHRISTIAN RODRIGUEZ,
a/k/a "Speedy," and
IAN WOOTEN,
a/k/a "Heartless,

did knowingly and willfully conspire with each other and others, to ship, transport, transfer, cause to be transported, and otherwise dispose of any firearm to another person in or otherwise affecting interstate and foreign commerce, knowing and with reason to believe that the use, carrying, or possession of a firearm by the recipient would constitute a felony, contrary to Title 18, United States Code, Section 933(a)(1).

In violation of Title 18, United States Code, Section 933(a)(3).

COUNT THREE
(Firearms Trafficking)

On or about November 17, 2022, in Union County, in the District of New Jersey and elsewhere, defendants,

JUSTIN APONTE,
a/k/a “Swav,” and
VICTOR BARRIOS,

did knowingly and willfully ship, transport, transfer, cause to be transported, and otherwise dispose of a firearm to another person in or otherwise affecting interstate and foreign commerce, knowing and with reason to believe that the use, carrying, or possession of a firearm by the recipient would constitute a felony.

In violation of Title 18, United States Code, Section 933(a)(1).

COUNT FOUR
(Possession of Machine Guns)

On or about August 26, 2022, in the District of New Jersey and elsewhere,
defendant,

JUSTIN APONTE,
a/k/a “Swav,”

did knowingly possess three machine guns, as defined in Title 26, United States Code, Section 5845(b), namely, three 3D printed, Glock-type, privately made firearm conversion devices with no serial numbers or manufacturer’s markings.

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

COUNT FIVE
(Possession of a Firearm by a Convicted Felon)

On or about November 5, 2022, in the District of New Jersey and elsewhere, defendant,

JUSTIN APONTE,
a/k/a “Swav,”

knowing that he had previously been convicted of a crime punishable by a term of imprisonment exceeding one year, did knowingly possess a firearm, namely a Bul Cherokee 9mm semiautomatic handgun, bearing serial number CP-22104, and the firearm was in and affecting interstate commerce.

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

COUNT SIX
(Possession of a Firearm by a Convicted Felon)

On or about January 4, 2023, in the District of New Jersey and elsewhere,
defendant,

CHRISTOPHER SOTO,
a/k/a “Spazz,”

knowing that he had previously been convicted of a crime punishable by a term of imprisonment exceeding one year, did knowingly possess a firearm, namely a FIE Titan .25 caliber semiautomatic handgun, bearing serial number B93017, and the firearm was in and affecting interstate commerce.

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

COUNT SEVEN
Possession with Intent to Distribute Fentanyl

On or about January 4, 2023, in the District of New Jersey and elsewhere,
defendant,

JONATHAN LAKOMY,
a/k/a “Jay,”

did knowingly and intentionally distribute and possess with intent to distribute
40 grams or more of a mixture and substance containing a detectable amount of
fentanyl, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

COUNT EIGHT
Possession with Intent to Distribute Fentanyl

On or about January 4, 2023, in the District of New Jersey and elsewhere,
defendant,

IAN WOOTEN,
a/k/a “Heartless,”

did knowingly and intentionally distribute and possess with intent to distribute
40 grams or more of a mixture and substance containing a detectable amount of
fentanyl, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

COUNT NINE
Possession with Intent to Distribute Cocaine Base

On or about January 4, 2023, in the District of New Jersey and elsewhere,
defendant,

JOSE FONTANEZ,
a/k/a “Lil’ Jose,”

did knowingly and intentionally distribute and possess with intent to distribute
a mixture and substance containing a detectable amount of cocaine base, a
Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

ATTACHMENT B

I, Christopher Doukas, am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms & 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, photographs, recordings, and other items of evidence. Where statements of others are related herein, they are related in substance and part. Where I refer to the contents of previously recorded conversations (e.g., consensual recordings or prior wiretap interceptions), quotations and descriptions are based on preliminary draft transcripts and/or translations of those conversations. 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 of the Investigation

1. Since in or around May 2022, the ATF and the Drug Enforcement Administration (“DEA,” collectively with the ATF, the “Partner Agencies”), along with state and local law enforcement agencies, have been investigating a drug and firearms trafficking network (the “Trafficking Network”), which includes Justin Aponte, a/k/a “Swav” (“APONTE”); Victor Barrios (“BARRIOS”); Jose Fontanez, a/k/a “Lil’ Jose” (“FONTANEZ”); Jonathan Lakomy, a/k/a “Jay” (“LAKOMY”); Christian Rodriguez, a/k/a “Speedy” (“RODRIGUEZ”); Jeziel Romero (“ROMERO”); Christopher Soto, a/k/a “Spazz” (“SOTO”); Angel Valentin, a/k/a “Mo” (“VALENTIN”); and Ian Wooten, a/k/a “Heartless” (“WOOTEN”) (collectively, the “DEFENDANTS”), and which operates in and around Union County, New Jersey and elsewhere. The investigation has revealed that APONTE and other members of the Trafficking Network are members or associates of the street gang known as the Almighty Latin Kings & Queens Nation (the “Latin Kings”), who operate out of Roosevelt Avenue in Carteret between Pershing Avenue to the west and Peter J. Sica Industrial Highway to the east (the “500 Block”). The Trafficking Network manufactures and sells firearms and distributes controlled substances, including, but not limited to fentanyl and cocaine base, otherwise known as crack cocaine.

2. In the course of the investigation, law enforcement obtained multiple Court Orders authorizing the interception of wire and electronic communications occurring over several cellular telephone devices used in furtherance of the Trafficking Network’s activities. As set forth throughout this Criminal Complaint, these wiretaps, in conjunction with mobile and fixed surveillance, controlled purchases, and the execution of court-authorized search warrants, among other investigative techniques, have revealed the operational structure

and inner workings of the Trafficking Network and the method and means by which it carried out its firearms- and narcotics-trafficking conspiracy.

3. The investigation has revealed that APONTE illegally traffics firearms, including traditional firearms and privately made firearms (“PMFs”),¹ also known as “ghost guns.” APONTE manufactures PMFs for resale using various component parts, including firearm frames manufactured by BARRIOS using a 3D printer.

4. The investigation has also revealed that the Trafficking Network distributes controlled substances, including fentanyl. Specifically, LAKOMY supplies fentanyl to APONTE and others. FONTANEZ, ROMERO, VALENTIN, and WOOTEN distribute narcotics on behalf of the Trafficking Network and aid and abet APONTE in the same.

5. Between May 2022 and December 2022, law enforcement conducted at least 20 controlled purchases with APONTE through which more than 319 bricks² of fentanyl, approximately 14 grams of cocaine base, 26 firearms (including 24 PMFs), and three machine gun conversion devices (“automatic switches”)³ were acquired. All of the controlled purchases, some of which are summarized herein, were captured by body-worn audio-recording devices or video-recording devices.

Defendants are Members and Associates of the Latin Kings Street Gang

6. The Latin Kings are a violent international street gang that was originally formed in Chicago in the mid-1960s by individuals who had immigrated from Puerto Rico. The gang expanded significantly in the following decades. The Latin Kings are highly organized, and gang leadership exists at the national, regional, and local levels. Membership is governed by a written manifesto and constitution with established rules and by-laws. Search warrants resulting from other investigations into members of the Latin Kings have resulted in seizures of this written document, as well as other indicia of gang membership and the formal gang structure. The Latin Kings have a “National Salute,” a “Kings and Queens Prayer,” a “Code of Kingism,” and a “Code of Conduct,” among

¹ A “privately made firearm” or “PMF” is a firearm, including a frame or receiver, assembled or otherwise produced by a person other than a licensed manufacturer, and without a serial number or other identifying markings placed by a licensed manufacturer at the time the firearm was produced.

² A “brick” is a term used to refer to fifty individual glassines of heroin or fentanyl. A “bundle” refers to ten individual glassines of heroin or fentanyl. Each brick contains approximately 2 grams of heroin or fentanyl. All suspected fentanyl purchased from APONTE was either field tested and tested positive for the presence of fentanyl or was determined to be fentanyl based on its packaging and appearance. Laboratory results are pending.

³ Automatic switches are parts designed and intended for use in converting a semiautomatic Glock-style firearm into a fully automatic machinegun.

numerous other formalities. Latin Kings chapters have been identified in more than thirty states, including New Jersey, as well as in numerous other countries. Local chapters regularly hold meetings to discuss gang activity, to enforce gang rules, and to collect money for gang activity or for incarcerated Latin Kings members. Gang identifiers include a five- or three-pointed crown, a lion wearing a crown, the letters “LK”, the phrase “Amor de Rey” or “ADR”, the phrase “Amor de Corona” or “ADC”, and others. The gang’s primary colors are black and gold/yellow or, in some chapters, red and green.

7. Communications intercepted pursuant to Court Orders authorizing the interception of wire and electronic communications, social media posts, consensually recorded conversations, law enforcement surveillance, and other lawful investigative methods have established the DEFENDANTS’ affiliation with the Latin Kings and their commission of criminal acts in furtherance thereof.

**The Trafficking Network Traffics Firearms and
Manufactures and Sells Privately Made Firearms**

8. During the investigation, law enforcement conducted numerous controlled purchases of firearms, as summarized in the chart below.

Date	Defendant(s) Involved	Firearm(s) Purchased
7/7/2022	APONTE BARRIOS	Three PMFs
8/4/2022	APONTE BARRIOS	Two AR-15-style PMFs
8/26/2022	APONTE BARRIOS	Three PMFs Three Automatic Switches
10/2/2022	APONTE BARRIOS	Eight PMFs
11/5/2022	APONTE	One Serialized Firearm
11/8/2022	APONTE	One AR-15-style PMF
11/17/2022	APONTE BARRIOS	Seven PMFs

9. On or about August 26, 2022, APONTE contacted a law enforcement officer posing as a purchaser of narcotics and firearms (the “UC”) and instructed the UC to meet APONTE at the Walmart Supercenter in Bayonne, New Jersey (the “Walmart”) to complete a previously arranged sale in which APONTE was to sell the UC three PMFs and twenty bricks of fentanyl. Later that day, the UC drove to the Walmart. A short while later, APONTE arrived at the Walmart and entered the UC’s vehicle. APONTE sold the UC three PMF handguns, three privately made automatic switches, and twenty bricks of fentanyl in exchange for approximately \$4,400 in U.S. currency. After a brief conversation about the features of the PMFs and automatic switches in which APONTE exhibited knowledge of their function, APONTE exited the UC’s vehicle, and the UC left the Walmart.

10. Prior to the controlled purchase on or about August 26, 2022, APONTE was monitored driving to BARRIOS’s residence in Bayonne, New Jersey (the “BARRIOS Residence”) and entering with a gray bag. While inside, APONTE called the UC and instructed the UC to meet him at the Walmart. APONTE was then observed leaving through the front door of the BARRIOS Residence carrying the gray bag. BARRIOS followed APONTE out of the BARRIOS Residence and left the area separately. After APONTE conducted the transaction with the UC at the Walmart, law enforcement observed APONTE approach BARRIOS’s green Jeep, which was parked nearby. APONTE entered the front passenger seat of the Jeep and exited the vehicle after a very short period of time, consistent with a hand-to-hand transaction.

11. On or about November 4, 2022, the UC contacted APONTE regarding the purchase of a firearm the following day. The UC also told APONTE that the UC would be landing at Newark Liberty International Airport (the “Airport”) the following day. APONTE agreed to pick up the UC from the Airport and sell the firearm to the UC. On or about November 5, 2022, the UC was driven to the Airport by law enforcement officers. Shortly thereafter, APONTE picked up the UC from the Airport. APONTE drove the UC to a restaurant in Elizabeth, New Jersey where APONTE and the UC had lunch. After eating lunch, APONTE drove the UC to his residence in Elizabeth, New Jersey (the “APONTE Residence”) to conduct the transaction. Inside the APONTE Residence, APONTE sold the UC what was later identified as a Bul Cherokee 9mm semiautomatic handgun, bearing serial number CP-22104 (the “Cherokee Firearm”) in exchange for approximately \$800 in U.S. Currency.

12. The Cherokee Firearm was manufactured outside the State of New Jersey and thus traveled in interstate commerce prior to APONTE’s possession thereof in New Jersey on or about November 5, 2022.

13. Prior to being in possession of the Cherokee Firearm, APONTE was previously convicted of at least one felony offense. For example, on or about October 13, 2020, APONTE was convicted in the Superior Court of New Jersey,

Middlesex County, of unlawfully possessing a handgun, in violation of N.J.S.A. 2C:39-5B(1), a crime punishable by imprisonment for a term exceeding one year.

14. On or about November 17, 2022, APONTE sold seven PMFs to the UC. Prior to the controlled purchase, law enforcement observed APONTE leave the APONTE Residence carrying a white box under his arm. APONTE placed the white box in the backseat of his vehicle and drove to the BARRIOS Residence. While on his way, APONTE placed a call to BARRIOS and asked, "I'm about to park up the car. Is the side door open?" BARRIOS responded, "Nah, I'mma open it up right now. Where you at?" APONTE replied, "Alright bet. I'm literally turning on your block bro."

15. Approximately ten minutes later, APONTE arrived at the BARRIOS Residence, parked, and entered through the side door. Approximately 90 minutes later, APONTE was observed leaving the BARRIOS Residence, again carrying a white box. APONTE entered his vehicle and drove to meet the UC at the Walmart, as agreed. APONTE arrived at the Walmart, got into the UC's vehicle carrying the white box. He then removed seven PMFs from the box and sold them to the UC for approximately \$3,560 in U.S. currency.

16. On or about November 29, 2022, law enforcement executed a judicially authorized search warrant at the BARRIOS Residence. Law enforcement recovered, among other items, the following:

- a Glock-26-style PMF 9x19mm semi-auto handgun;
- a .40 caliber S&W handgun with a Polymer-80 frame with a slide from a Glock model 22, bearing serial number HER371;
- 21 rounds of 5.56 caliber ammunition;
- 45 rounds of .40 caliber ammunition;
- 13 partially manufactured firearms;
- two 3D printers;
- 3D printing materials; and
- electronic devices.

17. When law enforcement entered the BARRIOS Residence, officers observed two 3D printers that were actively manufacturing firearms.

18. The investigation has revealed that RODRIGUEZ supplies firearms to the Trafficking Network. On or about December 8, 2022, APONTE and the UC traveled to Virginia and met with RODRIGUEZ. During the trip, APONTE, RODRIGUEZ, and the UC discussed firearms trafficking, including selling firearms in New Jersey. On or about December 17, 2022, APONTE sent the UC a text message photograph depicting three firearms. Between on or about December 17, 2022 and on or about December 19, 2022, APONTE indicated to the UC that the firearms were being offered by RODRIGUEZ for sale in New Jersey, and APONTE agreed to sell the firearms to the UC at a later date.

19. The investigation has revealed that WOOTEN conspires with APONTE to manufacture PMFs. For example, on or about December 15, 2022, at approximately 11:38 p.m., WOOTEN called APONTE. The two men had the following exchange:

APONTE: Yo.

WOOTEN: Yo, what you doing?

APONTE: I'm at the crib.

WOOTEN: You, you can speak real quick or you busy?

APONTE: Yeah, I'm just waking up. What's good?

WOOTEN: Hey yo, what um, you told me before, but I don't exactly remember, the, the exact list it was... what bottoms you need?

APONTE: Glock 26.

WOOTEN: All of them?

APONTE: All of them.

WOOTEN: All of them are all Glock 26?

APONTE: Uh-huh.

WOOTEN: I think I might be able to handle that.

APONTE: How much?

WOOTEN: That's what I'm trying to figure it out now and shit but um... Here's one, here's my question, um... Nah they already... Uh, that's all I need to know. I'ma make a phone call, I'ma call you right back, bye.

APONTE: A'ight, bet.

The Trafficking Network Distributes Large Quantities of Fentanyl

20. During the investigation, law enforcement conducted numerous controlled purchases of fentanyl and cocaine base from APONTE and others, as summarized in the chart below.

Date	Defendant(s) Involved	Amount Purchased (appx.)
6/13/2022	APONTE	One Bundle of Fentanyl
6/19/2022	APONTE	10 Bricks of Fentanyl
6/27/2022	APONTE	10 Bricks of Fentanyl
7/5/2022	APONTE FONTANEZ	2 Bricks of Fentanyl
7/7/2022	APONTE	20 Bricks of Fentanyl
7/19/2022	APONTE	20 Bricks of Fentanyl
8/4/2022	APONTE	20 Bricks of Fentanyl
8/26/2022	APONTE	20 Bricks of Fentanyl
9/8/2022	APONTE	20 Bricks of Fentanyl
9/22/2022	APONTE	15 Bricks of Fentanyl
10/2/2022	APONTE	5 Bricks of Fentanyl
10/13/2022	APONTE	40 Bricks of Fentanyl
11/15/2022	APONTE	40 Bricks of Fentanyl
11/29/2022	APONTE	20 Bricks of Fentanyl
12/6/2022	APONTE WOOTEN	30 Bricks of Fentanyl
12/8/2022	APONTE WOOTEN	7 Bricks of Fentanyl
12/22/2022	APONTE FONTANEZ VALENTIN	40 Bricks of Fentanyl 14 Grams of Cocaine Base

21. The investigation has revealed that LAKOMY supplies fentanyl to the Trafficking Network. On or about November 5, 2022, through communications

intercepted pursuant to Court Orders authorizing the interception of wire and electronic communications, and other lawful methods of investigation, including fixed and mobile surveillance, law enforcement observed an individual described by APONTE as his “plug,”⁴ determined to be LAKOMY, conduct a suspected delivery of fentanyl from LAKOMY’s residence in Ringwood, New Jersey (the “LAKOMY Residence”) to the APONTE Residence in Elizabeth, driving a White Mazda SUV known to be used by LAKOMY (the “White Mazda”).

22. On or about November 5, 2022, APONTE told ROMERO that his source of supply was on the way to his house and would arrive in 30 to 40 minutes. Specifically, at approximately 7:24 p.m. on or about November 5, 2022, APONTE and ROMERO had the following exchange:

APONTE: Yo.

ROMERO: Yo, cuz!

APONTE: What’s up baby?

ROMERO: What’s good my boy, you good?

APONTE: No.

ROMERO: Are you mobile?

APONTE: Yeah, but I’ll be, I’ll be available in like, probably like, thirty, forty minutes, I’m waiting for my plug.

ROMERO: A’ight, say no more.

APONTE: Why, what’s up?

ROMERO: Three.

APONTE: You need three?

ROMERO: Yeah.

APONTE: A’ight bet. Bro, I’m about to just drop you off five though.

ROMERO: A’ight, say no more.

⁴ “Plug” is common street vernacular for a source of supply.

APONTE: You feel me?

ROMERO: Say no more, my boy. I gotta bust a jug then I'll have the [unintelligible].

APONTE: A'ight baby.

ROMERO: Aight

APONTE: I'm telling you right now, you take your time with that. I'm telling you I got a hundred right now, you feel me? So, whatever you wanna grab, you could grab.

ROMERO: A'ight bet then. How long cuz?

APONTE: Um, it's gonna take him like 30, 40 minutes to get to me. And then it's gonna take like twenty minutes to get to you, so it's going to be like an hour bro. Not even gonna hold you.

ROMERO: A'ight, say no more. Just call me, bro.

APONTE: A'ight bet.

ROMERO: A'ight.

APONTE: Bye.

23. Through surveillance via pole cameras placed at the APONTE Residence and the LAKOMY Residence, law enforcement observed the White Mazda leave the LAKOMY Residence at approximately 7:13 p.m. and arrive at the APONTE Residence at approximately 8:00 p.m. At approximately 8:03 p.m., APONTE exited his house and entered the White Mazda. Approximately one minute later, APONTE exited the White Mazda and returned to his house. The White Mazda departed.

24. The investigation has revealed that ROMERO distributes fentanyl on behalf of the Trafficking Network. For example, on or about November 21, 2022, at approximately 1:12 p.m., APONTE called ROMERO. During that call, APONTE and ROMERO had the following exchange:

APONTE: Yo, what's good my boy?

ROMERO: What's up my boy? You good?

APONTE: I'm Gucci, how you living?

ROMERO: I can't call it. My n***a, I was just about to call you, you heard?

APONTE: Bet, talk to me, talk to me.

ROMERO: I'm about to send you 440.

APONTE: Alright.

ROMERO: I'mma uh... what's it called? Cuzzo, I need just one though.

APONTE: I, I could give you just one but you gotta come to me. I'm off today.

ROMERO: Oh, where you at?

APONTE: I'm in Elizabeth.

ROMERO: Awe shit my n***a, that's the only thing too. I got the... I'm watching the baby cuz, I can't go nowhere.

APONTE: You can't go nowhere? Alright so uhm... My mom got my car right now so you're just gonna have to give me a little bit.

ROMERO: Alright, what time you thinking?

APONTE: Umm, [Audio glitch] back in like an hour or two so...

[Voices overlap]

ROMERO: You said what brodie?

APONTE: ...you feel me? Probably like at 3:00.

ROMERO: You said around 3:00?

APONTE: Yeah, if not earlier than that.

ROMERO: Alright, say no more, say no more. I'm about to send you this joint right now my boy.

APONTE: Say that. So I'm going to deduct the 440 from the uh, 770 and then I'll send you the one and then that means you'll still have what's it called? Three.

ROMERO: Yeap.

APONTE: 'Cause you had... Wait nah, you had 770 that means you had the 6 plus the 1... You owe me... Hold up, I'm about to do the math right now. [Pause] 770 minus the... minus 440 that's going to be 330 plus one, it's gonna be 440 again.

[Voices overlap]

ROMERO: 440 yeap, split right down the middle.

APONTE: Alright bet, we could do that.

[Voices overlap]

ROMERO: Alright perfect, broski.

APONTE: And I know, I know you're gonna be on some shit so I don't even gotta... I'm not even gonna even sit it there because I already know the holidays is coming.

[Voices overlap]

ROMERO: Yeah my n***a.

APONTE: You feel me?

[Voices overlap]

ROMERO: Yeah, I got a play for the next...

[Voices overlap]

APONTE: So whenever you got something...

ROMERO: I got a play lined-up for the next four but uh... you already know.

APONTE: If you got a play lined-up bro, like I said, I don't mind. Like look, if you got a play lined-up for the next four, once they gone... If you know for sure, I would drop

another four on you just so you can play with. You feel me?

[Voices overlap]

ROMERO: Yeah, alright perfect bro. Like I said, but I'mma just take this one ready here bro, bust that.

[Voices overlap]

APONTE: So... Yeah nah, nah exactly. I'm not dropping four on you today. I'mma give you the one and then after the play or even before you know the play is happening, let me know so I can drop off the other four on you.

ROMERO: Perfect my boy.

APONTE: You feel me?

ROMERO: Facts! Alright perfect. Hold up cuz don't even hang up bro. This shit is about to go through right now.

APONTE: Alright bet, bet, bet.

ROMERO: Hold up, hold up. [Coughs] Yup, just sent 440 out my boy.

APONTE: Alright bet, say less. Uh, what's it called? Uh, like I said, give me like an hour and half, two hours.

ROMERO: Alright.

APONTE: I'm just waiting for my mom to come back with my whip.

ROMERO: Alright, perfect my n***a, just give me a call bro. Alright.

APONTE: I got you. One.

25. The investigation has revealed that FONTANEZ and APONTE distribute narcotics out of multiple locations, including FONTANEZ's residence on the 500 Block of Roosevelt Avenue in Carteret, New Jersey (the "FONTANEZ Residence"). For example, on or about November 28, 2022, APONTE placed a call to FONTANEZ at approximately 10:43 p.m. During the call, APONTE and FONTANEZ had the following exchange:

FONTANEZ: Yo.

APONTE: Yo, tomorrow I'm 'a be pulling up at your crib around like, ten.

. . . .

APONTE: N***a come drop me off these 28 grams and you can pick up these two bricks.

FONTANEZ: You said, what?

APONTE: Drop me off these 28 grams of molly and come pick up your two bricks.

FONTANEZ: Damn, yo. I can't just leave it in the mailbox for you or something?

APONTE: No, I don't trust that shit, bro. Your house is too hot, boy.

FONTANEZ: [Scoffs]

APONTE: You be having the fiends outside leaning on the fence, scoping shit.

FONTANEZ: Nah, get the f**k out of here, n***a.

APONTE: [Laughs]

FONTANEZ: I'm putting that shit in the mailbox, just come early n***a.

. . . .

APONTE: Alright, yo. I'll get to your house at like seven.

FONTANEZ: Alright, say no more.

APONTE: Alright, brodie.

FONTANEZ: Alright, one.

26. The investigation has revealed that APONTE, VALENTIN, and WOOTEN coordinate the distribution of fentanyl on behalf of the Trafficking Network. For example, on or about December 16, 2022, WOOTEN called

APONTE at approximately 4:06 p.m. VALENTIN, who is frequently referred to as “Mo,” was with WOOTEN and participated in the call. The three men had the following discussion:

WOOTEN: Nah, I’m busting a move with Mo real quick right now and then I gotta do something else and then... I’ll be back. Why? What’s up?

. . . .

APONTE: Ah. What’s it called? Yo, can we do this? I’m drive my car, I got a play for four of them things. Can I drop my car off by your crib and I’ll just hop in the whip with ya’ll?

VALENTIN: [Background: Where? When? Right now?]

WOOTEN: Right now?

APONTE: Right now.

VALENTIN: [Background: Where you at?]

APONTE: I’m in Elizabeth. I finished taking a shower and shit, he just hit me. I could drive to Carteret.

WOOTEN: [Redacted] still home so you’ll be able to grab that if anything. But I’m confused, what are you trying to say? You want us to wait for you?

APONTE: I was going to take the ride with ya’ll to um, to Short Hills unless you want [Redacted] to make the play.

VALENTIN: [Background: Nah, you are going to come with me.]

WOOTEN: That’s what we’re saying, you are gonna come but we’re going to Amboy right now. You’re saying that like, you’re gonna be here in, from Elizabeth in the next 10 minutes.

VALENTIN: [Background: No, tell him to come to your house, drop the shit off and just wait, I’ll be back.]

WOOTEN: [Aside: I got all the shit at my house. I have all the shit at my house.]

VALENTIN: [Background: He said he had to drop something off.]

WOOTEN: No.

APONTE: No, I gotta bust a move for four bricks.

WOOTEN: Yeah.

VALENTIN: [Background: Oh, okay. So yeah, do that. Bust a move.]

APONTE: And instead of you going to Elizabeth, you just go back to Bro crib and pick me up and I'll leave my car there.

VALENTIN: [Background: Yeah.]

WOOTEN: Yeah.

APONTE: Aight, bet.

WOOTEN: Bye.

APONTE: Bye.

27. The investigation has revealed that WOOTEN stores fentanyl at his residence on behalf of the Trafficking Network. For example, on or about December 6, 2022, the UC met with APONTE to socialize. Upon the UC's arrival, APONTE stated that he wanted to provide fentanyl to the UC. APONTE directed the UC to drive to a neighborhood in Carteret, New Jersey, to retrieve the narcotics. Once there, APONTE exited the UC's vehicle and entered WOOTEN's residence on Roosevelt Avenue (the "WOOTEN Residence"). A short while later, APONTE exited the WOOTEN Residence, returned to the UC's vehicle, and handed the UC thirty bricks of fentanyl.⁵

28. In December 2022, APONTE told the UC that he could sell the UC crack cocaine. On or about December 21, 2022, APONTE called the UC and, in reference to those discussions, asked the UC "do you want me to pick this up? Because I can get you um... ten yams for the five bills."⁶ The UC agreed to the transaction. APONTE replied, "I'll do that right now for you then." Approximately two minutes after this call, APONTE entered VALENTIN's residence on the 500 Block of Roosevelt Avenue (the "VALENTIN Residence"). Approximately one hour

⁵ APONTE sold the UC ten bricks of fentanyl and "fronted" (sold on consignment) the UC the additional twenty bricks of fentanyl.

⁶ "Yams" is street vernacular for grams of cocaine base; "five bills" is \$500.

later, APONTE and VALENTIN left the VALENTIN Residence and walked to and entered the FONTANEZ Residence. APONTE was carrying a white plastic bag with lettering on one side.

29. The next day, on or about December 22, 2022, APONTE, FONTANEZ, and another individual known to law enforcement departed from the FONTANEZ Residence and traveled to a restaurant in Woodbridge, New Jersey. APONTE instructed the UC to meet him at the restaurant. When the UC arrived, APONTE sold the UC forty bricks of fentanyl and fourteen grams of cocaine base, which was contained in a white plastic bag that matched the description of the bag that APONTE was observed carrying when he left the VALENTIN Residence the night prior.

30. Within an hour of the transaction on or about December 22, 2022, VALENTIN called APONTE. The two men had the following discussion:

APONTE: Speak of the motherf**king devil.

VALENTIN: Yo, what's up?

APONTE: What's up? Talk to me.

VALENTIN: Yo, y'all don't got a-- Well, um, that scale we used yesterday, that was mine?

APONTE: Yeah. I got everything. It's right here. I'm at Jose's house.

VALENTIN: No. I'm saying, that-that was my scale?

APONTE: Yeah.

VALENTIN: Damn, I thought we wasn't going to use that scale 'cause you said that Heartless had one, bro; I need it.

APONTE: I'm right here at Jose's house.

VALENTIN: Oh, you got me?

APONTE: Yeah. I got all your shit. I got the pyrex, the-the little copper wires.

VALENTIN: Alright, send that through then.

. . . .

APONTE: We outside. We [unintelligible] go over there. Come downstairs.

VALENTIN: N***a, I can't come downstairs.

APONTE: Why can't you come downstairs? I'm about to be at your door.

VALENTIN: I got the baby.

APONTE: N***a just come out-- Go down them steps real fast, bro. I'm running over there, he's getting some work.

VALENTIN: Huh?

APONTE: I said just walk down the steps real fast, son. He's gon-- he's getting some work.

VALENTIN: Oh. Bye bro.

31. As set forth above, the Trafficking Network, including the DEFENDANTS in their roles set forth above, has—during the time period charged herein—manufactured and sold large quantities of firearms and has distributed large quantities of controlled substances, including, but not limited to fentanyl and cocaine base.

Search Warrants Executed on or about January 4, 2023

32. On or about January 4, 2023, law enforcement executed judicially authorized search warrants at several locations in New Jersey and elsewhere, including the WOOTEN Residence, the FONTANEZ Residence, the LAKOMY Residence, and SOTO's residence in Matawan, New Jersey (the "SOTO Residence").

33. During the search of the SOTO Residence, law enforcement recovered four firearms, including one FIE Titan .25 caliber semiautomatic handgun bearing serial number B93017 (the "FIE Firearm"). The other three firearms were PMFs consistent with those seized by law enforcement during the investigation.

34. SOTO was not home when law enforcement executed the search warrant at the SOTO Residence. The FIE Firearm was located inside of a safe in the master bedroom of the SOTO Residence, which was identified by a female occupant as belonging to SOTO. Among other items, law enforcement recovered documents and identification related to SOTO, as well as evidentiary items related to the Latin Kings.

35. The FIE Firearm was manufactured outside the State of New Jersey and thus traveled in interstate commerce prior to SOTO's possession thereof in New Jersey on or about January 4, 2023.

36. Prior to being in possession of the FIE Firearm, SOTO was previously convicted of at least one felony offense. For example, on or about May 3, 2019, SOTO was convicted in the Superior Court of New Jersey, Union County, of possession of a controlled dangerous substance, in violation of N.J.S.A. 2C:35-10A(1), a crime punishable by imprisonment for a term exceeding one year.

37. During the search of the LAKOMY Residence, law enforcement recovered 70 bricks of suspected fentanyl, 125 grams of suspected powdered fentanyl, and evidentiary items related to the Latin Kings. When law enforcement entered the LAKOMY Residence, officers observed empty narcotics packaging next to a toilet adjacent to LAKOMY's bedroom, specifically, three zippered plastic bags labeled "100," "400," and "100," consistent with the packaging containing the 125 grams of suspected powdered fentanyl. The toilet was covered in a white, powdery substance.

38. During the search of the FONTANEZ Residence, law enforcement recovered 20 grams of suspected crack cocaine, 75 grams of suspected powder cocaine, 136 grams of suspected MDMA, and evidentiary items related to the Latin Kings.

39. During the search of the WOOTEN Residence, law enforcement recovered two firearms, namely a Springfield model XD 9mm semiautomatic handgun, bearing serial number GM766177, and a Smith & Wesson model SD40 VE .40 caliber semiautomatic handgun, bearing serial number FDE9779, six Glock-brand firearm slides consistent with those used by members of the Trafficking Network to manufacture PMFs, and 100 bricks of suspected fentanyl, among other items.