

UNITED STATES DISTRICT COURT

for the
District of Rhode Island

United States of America)
 v.)
 KEVIN LEWIS)
 D.O.B.: 1974)
 GLOCESTER, RHODE ISLAND)
 Defendant

Case No.

1:15-MJ-241/PAS

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 of 07/28/2015 in the county of _____ in the _____ District of
Rhode Island, the defendant violated 21 U. S. C. § 841a1A/b1B, an offense described as follows:

Manufacture of and possession with intent to distribute methamphetamine in violation of 21 U.S.C. § 841(a)(1)(A) and (b)(1)(B).

This criminal complaint is based on these facts:

See attached Affidavit of Special Agent Alan Sims, Drug Enforcement Agency.


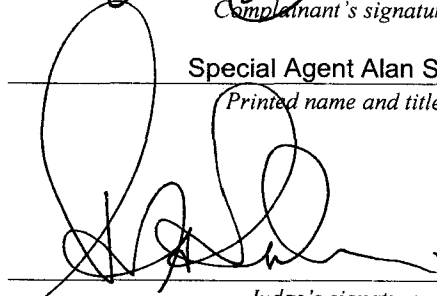
☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date:

July 29, 2015

City and state: Providence, Rhode Island


 Complainant's signature
 Special Agent Alan Sims
 Printed name and title

 Judge's signature
 PATRICIA A. SULLIVAN, U.S. MAGISTRATE
 Printed name and title

AFFIDAVIT

I, Alan J. Sims, do under oath depose and say that:

1. I am a Special Agent with the Drug Enforcement Administration ("DEA") and have been employed by the DEA since May 2012. Prior to joining the DEA, I was a Special Agent with Homeland Security Investigations for over one year and prior to that I was a Deputy Sheriff for the Los Angeles County Sheriff's Department in Los Angeles, California. I have participated in investigations involving methamphetamine (meth) on a number of occasions and, among other things, I have DEA clandestine lab certification training. Through my training, education, and experience, I have become familiar with the manner in which methamphetamine is manufactured and distributed. I am currently assigned to conduct investigations in the Providence Resident Office of the DEA (DEA-PRO). My duties include the enforcement of federal criminal laws, including controlled substance violations and money laundering, under Titles 18 and 21 of the United States Code

2. This affidavit is submitted in support of an arrest warrant for Kevin Lewis (LEWIS) who was born in the year 1974 and whose last known address was in Glocester, Rhode Island along with a criminal complaint charging him with manufacture of and possession with intent to distribute methamphetamine in violation of 21 U.S.C. §841 (a) (1)(A) and (b)(1)(B).

3. The information in this affidavit comes from my own participation in this investigation and from other law enforcement officers, including Joseph DelPrete, Chief of the Glocester Police Department and Jason Greene of the West Warwick Police Department who also serves as a DEA Task Force Officer (TFO), as well as members of the DEA clandestine meth lab team who responded as a result of the seizure. This affidavit is being submitted for the limited purpose of establishing probable cause. Therefore I have not included each and every fact known regarding this investigation. More specifically, I have set forth only pertinent facts that I believe are necessary to establish probable cause.

4. On July 28, 2015, the DEA-PRO was contacted by the Glocester Police Department with information about a suspected clandestine meth lab, referred to as a "one-pot" lab. A one-pot lab is a rudimentary process for producing meth by combining pseudoephedrine and other chemicals in a disposable plastic or glass container producing a single batch of meth.

5. In response, TFO Greene and I went to the Glocester PD. When we arrived that morning I was informed that a Glocester patrol officer had arrested LEWIS on an outstanding warrant during a traffic stop at approximately 6:37AM. The car Lewis was driving at the time of his arrest was a maroon Nissan Maxima, bearing Rhode Island registration 538-228 (Maxima). During the arrest, officers observed materials in the back seat of the Maxima that they immediately recognized to be materials needed to construct a clandestine meth lab. They also noted a strong odor of acetone which is associated with the production of meth. The materials included plastic/rubber tubing, lithium batteries, pseudoephedrine blister packs, empty plastic bottles, and a large container of salt.

6. The registered owner of the Maxima that LEWIS was driving was his wife, Carolyn Lewis. Carolyn Lewis was a passenger in the car. After LEWIS's arrest she drove the Maxima to the Glocester Police Department followed by a marked Glocester Police Cruiser. She also provided verbal consent to search the vehicle.

7. TFO Greene and I peripherally examined the vehicle and its contents then called for the DEA clandestine lab team. During the search, among other things, members of the team seized (from the trunk of the Maxima) an active batch of meth being produced in a one-liter plastic bottle found within a five-gallon bucket, two hydrochloric acid gas generators (used in the production of meth) in another five-gallon bucket, a completed one-pot meth cook contained in a cooler, a third hydrochloric acid gas generator in another cooler and additional pseudoephedrine blister packs.


8. Additionally, members of the DEA and Glocester PD went to LEWIS's residence in Glocester, Rhode Island where Carolyn Lewis and her father Walter Hannigan (the owner of the property) provided consent to search the residence. During the search of the yard and curtilage, I located and seized two plastic bottles that had been previously used as one-pot production labs or as hydrochloric acid gas generators, and two, five-gallon buckets, each containing hydrochloric acid gas generators.

9. At the residence, I also observed a white Ford Taurus bearing Rhode Island registration 374-140 (Taurus) registered to LEWIS. I observed empty plastic bottles on the floor of the back seat and a closed cloth shopping bag containing unknown items. I also detected a strong odor of acetone emanating from the vehicle which, based on my training and experience, I know to be an indicator of a clandestine meth lab. LEWIS declined to provide consent to search the Taurus.

10. Based on our investigation Chief DelPrete applied for and obtained authorization from Judge William Clifton of the Rhode Island District Court to search the Taurus. The clandestine lab team responded to the scene and conducted a search of the Taurus resulting in the seizure of completed one-pot production and various lab equipment, tools, batteries and fuel used in the production of meth.

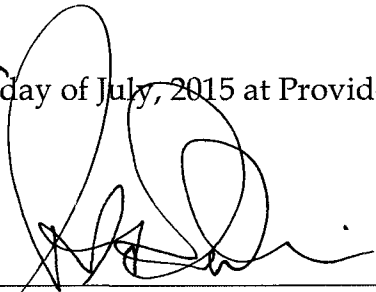
11. The amount of meth produced in a one-pot cook is generally three grams of meth. In this case we found evidence of at least one active cook and two completed cooks, representing nine grams of meth. Additionally, pharmacies are required by law to record the amount of pseudoephedrine purchased by individual consumers and report those sales. Records tracking LEWIS's purchase of pseudoephedrine establish that between November 21, 2014 and July 27, 2015 LEWIS purchased 49.92 grams of pseudoephedrine and was denied permission to purchase on multiple occasions. The conversion of pseudoephedrine to meth in the one-pot process is 90%. That is, one gram of pseudoephedrine produces .9 grams of meth. The 49.92 grams of pseudoephedrine is therefore converted into approximately 44.93 grams of meth. I therefore believe that in accordance with 21 U.S.C. §841 (b)(1)(B) (viii) LEWIS has manufactured 5 grams or more of meth.

12. I therefore suggest that there is probable cause to believe that Kevin LEWIS has manufactured and possessed with intent to distribute methamphetamine, in violation of 21 U.S.C. §841 (a)(1)(A) and (b)(1)(B).



ALAN J. SIMS
Special Agent
Drug Enforcement Administration

Sworn and subscribed to before me this the 29th day of July, 2015 at Providence, Rhode Island.



PATRICIA A. SULLIVAN
United States Magistrate Judge
District of Rhode Island

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ INFORMATION ☐ INDICTMENT ☒ COMPLAINT

CASE NO. _____

Matter Sealed: ☐ Juvenile ☐ Other than Juvenile☐ Pre-Indictment Plea ☐ Superseding ☐ Defendant Added
☐ Indictment ☐ Charges/Counts Added
☐ Information

USA vs.

Defendant: KEVIN LEWIS

Name of District Court, and/or Judge/Magistrate Location (City)

UNITED STATES DISTRICT COURT RHODE ISLAND
DISTRICT OF RHODE ISLAND Divisional OfficeName and Office of Person
Furnishing Information on
THIS FORM

PETER F. NERONHA

☒ U.S. Atty ☐ Other U.S. Agency
Phone No. (401) 709-5033Name of Asst.
U.S. Attorney
(if assigned)

GERARD B. SULLIVAN

REDACTED

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Drug Enforcement Agency (DEA)

☐ person is awaiting trial in another Federal or State Court
(give name of court)☐ this person/proceeding transferred from another district
per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges
previously dismissed which were
dismissed on motion of:☐ U.S. Atty ☐ Defense☐ this prosecution relates to a
pending case involving this same
defendant. (Notice of Related
Case must still be filed with the
Clerk.)☐ prior proceedings or appearance(s)
before U.S. Magistrate Judge
regarding this defendant were
recorded underSHOW
DOCKET NO.MAG. JUDGE
CASE NO.Place of
offense RHODE ISLAND

County

Social Security Number _____

DEFENDANT

Issue: ☒ Warrant ☐ Summons

Location Status:

Arrest Date 7/29/2015 or Date Transferred to Federal Custody _____

☒ Currently in Federal Custody☐ Currently in State Custody☐ Writ Required☐ Currently on bond☐ Fugitive

Defense Counsel (if any): _____

☐ FPD ☐ CJA ☐ RET'D☐ Appointed on Target Letter☐ This report amends AO 257 previously submitted

OFFENSE CHARGED - U.S.C. CITATION - STATUTORY MAXIMUM PENALTIES - ADDITIONAL INFORMATION OR COMMENTS

Total # of Counts 1

Set	Title & Section/Offense Level (Petty = 1 / Misdemeanor = 3 / Felony = 4)	Description of Offense Charged	Felony/Misd.
	21 U.S.C. § 841(a)(1)(A) and (b)(1)(B).	manufacture of and possession with intent to distribute	<input checked="" type="checkbox"/> Felony
		methamphetamine.	<input type="checkbox"/> Misdemeanor
			<input type="checkbox"/> Felony
			<input type="checkbox"/> Misdemeanor
			<input type="checkbox"/> Felony
			<input type="checkbox"/> Misdemeanor
			<input type="checkbox"/> Felony
			<input type="checkbox"/> Misdemeanor
		Trial Days: 3	<input type="checkbox"/> Felony
			<input type="checkbox"/> Misdemeanor