

UNITED STATES DISTRICT COURT
for the
District of Rhode Island

United States of America)
v.)
) Case No. 1:24-MJ-00020 PAS
ardo MORALES DE PAZ, a/k/a Marvin)
COY PIRIR ("MORALES DE PAZ"))
)
)

Defendant(s)

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(s) of 7/12/19 - April 2024 in the county of _____ in the
District of Rhode Island, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 2314
18 U.S.C. § 371
Interstate Transportation of Stolen Goods
Conspiracy to Commit Interstate Transportation of Stolen Property

This criminal complaint is based on these facts:

See the attached Affidavit of Special Agent Brendan Cullen, with Homeland Security Investigations ("HSI").

Continued on the attached sheet.

Brendan J. Allen

Complainant's signature

Special Agent Brendan Cullen - HSI

Printed name and title

Sworn to before me and signed in my presence.

Date: April 9, 2024

Pat Aseltine

Judge's signature

City and state: Providence, Rhode Island

Patricia A. Sullivan, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT OF SPECIAL AGENT BRENDAN CULLEN IN SUPPORT OF
A CRIMINAL COMPLAINT, SEARCH, AND ARREST WARRANTS**

I, Brendan Cullen, having been duly sworn, state:

INTRODUCTION AND AGENT BACKGROUND

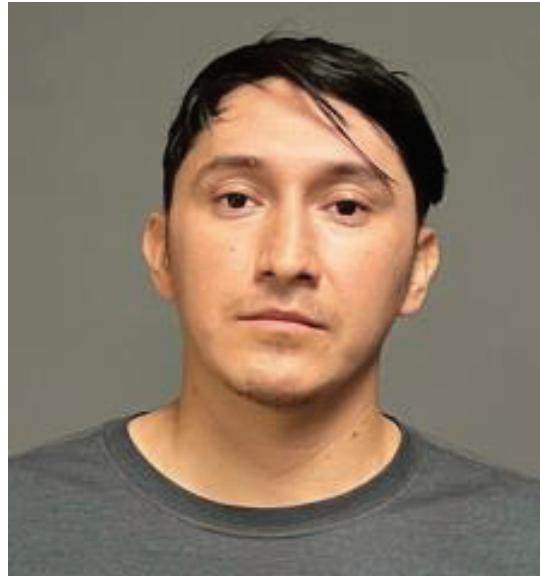
1. I am a Special Agent with the Homeland Security Investigations (HSI) assigned to the Providence Field Office. I have been employed by HSI and its predecessor, the U.S. Customs Service since January of 2003. In connection with my official duties, I have investigated and assisted other agents in investigating numerous cases involving a wide variety of criminal violations including, but not limited to, narcotics trafficking, money laundering, interstate transportation of stolen goods, fraud, intellectual property rights, and export enforcement investigations.

2. The information contained in this affidavit is based on witness interviews, conversations with investigators from multiple agencies/departments involved in this investigation, my personal knowledge and observations during the course of this investigation, my personal training and experience as a criminal investigator, and the review of records, documents and other evidence obtained during this investigation. Because this affidavit is submitted for the limited purpose of establishing probable cause for the requested arrest and search warrants, I have not included each and every fact known to me concerning this investigation. Rather, I have set forth only those facts that I believe are necessary to establish probable cause to support the warrants requested herein.

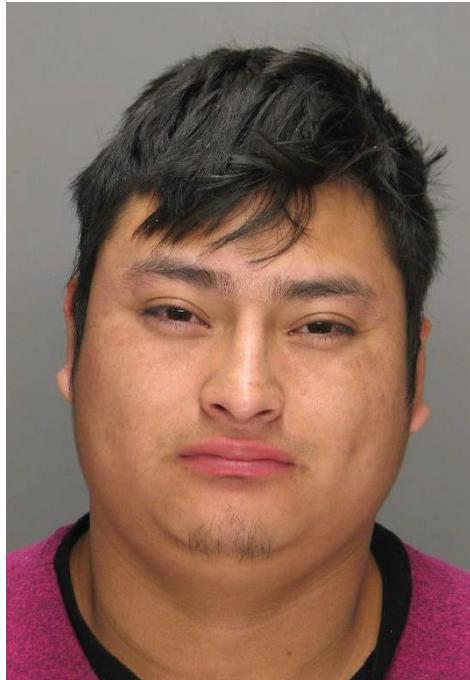
Arrest Warrants and Criminal Complaints

3. This affidavit is submitted in support of a criminal complaint and arrest warrant for the following four individuals:

- Marvin Estuardo MORALES DE PAZ, a/k/a Marvin Estuardo COY PIRIR (“MORALES DE PAZ”), age 33, is a citizen of Guatemala who has been removed from the United States to Guatemala on two prior occasions with no known legal immigration status in the United States;

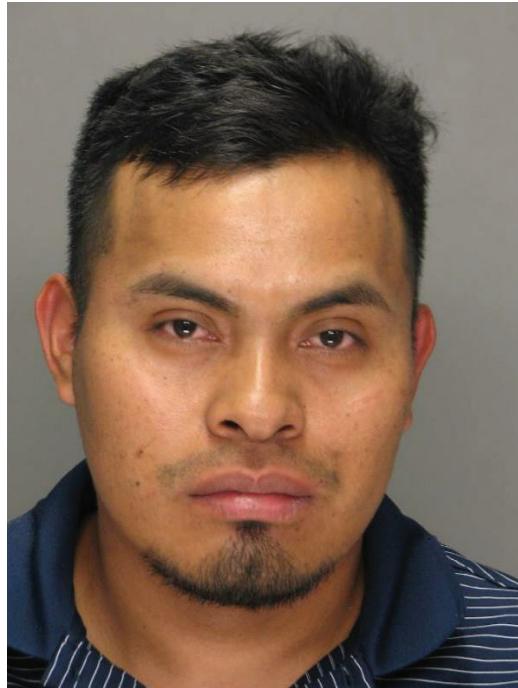


- Abraham DAYGER-ENRIQUE, a/k/a Abraham Dayger-Enrique GARCIA COY (“DAYGER-ENRIQUE”), age 24, is a citizen of Guatemala with no known legal status in the United States;



- Sebastian LAJUJ-SOLOMAN¹, age 30, is a citizen of Guatemala with no known legal status in the United States;

¹ Some police reports have identified LAJUJ-SOLOMAN and SOLOMAN-LAJUJ and SOLOMON-LAJUJ. However, Department of Homeland Security records and his Guatemalan identity document list his name as LAJUJ-SOLOMAN.



- Jonathan Josue AMPEREZ-PEREZ, age 31, is a citizen of Guatemala with no known legal status in the United States.



Hereinafter referred to as the “Target Subjects”.

4. Based on the facts set forth in this affidavit, there is probable cause to believe that the Target Subjects worked with others in conducting retail theft in multiple states and transported or attempted to transport these stolen items across state lines, in violation of 18 U.S.C. § 2314, (interstate transportation of stolen goods), and 18 U.S.C. § 371 (conspiracy to commit interstate transportation of stolen property) (collectively, the “Target Offenses”).

Search Warrant

5. This affidavit is also being submitted in support of an application for a Search Warrant under Rule 41 of the Federal Rules of Criminal Procedure for the Subject Premises described more fully in this affidavit and in Attachment A:

- MORALES DE PAZ’s residence located at 35 Hines Farm Road, Cranston, RI 02921, (Subject Premises);

6. The Applications request authority to search for evidence of the Target Offenses as more fully described in this affidavit and in Attachment B. The Applications also request authority to seize all funds, in the possession or control of MORALES DE PAZ and in the Subject Premises.

7. The court has jurisdiction to issue the proposed warrants because it is a “court of competent jurisdiction” as defined in 18 U.S.C. § 2711. Specifically, the Court is the District of Rhode Island: a district court of the United States that has jurisdiction over the offenses being investigated, *see* 18 U.S.C. § 2711(3)(A)(i).

STATEMENT OF PROBABLE CAUSE

8. In this case, HSI, and other law enforcement agencies are investigating the Target Subjects and others for their role in a large-scale retail theft scheme targeting home improvement retailers in New England and elsewhere. The individuals referenced herein are Guatemalan

nationals mainly residing in Rhode Island, who have participated in a scheme to mainly defraud Home Depot by stealing spools of electrical wire², flooring, power tools, and other items of high value. This investigation has identified incidents where members of this group have stolen goods from Home Depots that have led to arrests in Boston, MA, Norwood, MA, Seekonk, MA, Cranston, RI, Johnston, RI, Warwick, RI, Fairfield, CT, Wyomissing, PA, and Marlboro, NJ. Based on my conversations with Home Depot loss prevention³ personnel, I have learned that the Target Subjects have also stolen merchandise from multiple Home Depots where no arrests were made. This belief is based on a review of video surveillance by Home Depot loss prevention personnel coupled with inventories of lost merchandise.

9. On August 28, 2023, MORALES DE PAZ, DAYGER-ENRIQUE, and AMPEREZ-PEREZ were arrested in Fairfield, CT, while attempting to steal flooring from a Home Depot in that jurisdiction. During this incident, Fairfield Police Department (FPD) Officers seized Samsung cell phones from each of the three subjects. On October 2, 2023, United States Magistrate Judge Patricia A. Sullivan authorized a search warrant for the three cell phones seized from MORALES DE PAZ, DAYGER-ENRIQUE, and AMPEREZ-PEREZ (23-SW-248, Attached as Exhibit 1). As of October 23, 2023, the content of these three Samsung cell phones were successfully copied and made available to me. Based on these digital extractions, I have learned that the Samsung phone seized from MORALES DE PAZ had the phone number 508-933-7928, the Samsung seized from DAYGER-

² This wire is sold under various brand names and lengths. The wire is most commonly used to wire residential or commercial construction projects and can be run behind walls to connect various outlets and switches. The wire spools sold by Home Depot vary significantly in price, from under \$100 to more than several hundred dollars per spool.

³ Home Depot employees who interface with law enforcement are referenced in police reports as both “loss prevention” and “asset protection”. Unless specifically referenced otherwise, these employees will be referenced here as loss prevention personnel.

ENRIQUE had the phone number 860-867-9694, and the Samsung seized from AMPEREZ-PEREZ had the phone number 401-545-2892.

10. I have searched the content of these three Samsung phones and have found evidence that the Target Subjects were communicating via WhatsApp⁴ with each other and with other co-conspirators to plan retail thefts and sell stolen property obtained from these thefts.

11. As part of this investigation, I contacted multiple police departments regarding retail theft incidents that occurred in their jurisdictions linked to the Target Subjects and others. Details of these retail theft incidents, documented below, show a pattern of brazen criminal activity across multiple states. These incidents also demonstrate that members of this group work in concert with each other to distract retail store employees, conceal merchandise, and employ other deceptive practices that allow them to plunder costly items from home improvement retail stores and sell these items for a profit.

12. Based on my review of the seized Samsung cell phones, and information obtained from various law enforcement agencies and loss prevention personnel, I have learned that the Target Subjects and other co-conspirators have participated in more than 30 documented thefts, mainly from Home Depot retail stores located in Rhode Island, Massachusetts, Connecticut, and Pennsylvania. This investigation has identified fifteen Guatemalan nationals believed to be associated with this retail theft organization based on arrests and law enforcement encounters during retail theft incidents. However, not all members of this group regularly participate in these

⁴ WhatsApp provides an Internet-based multimedia messaging service, WhatsApp Messenger, via a cross-platform smartphone application that enables users to communicate with each other via text, voice, and video. Each WhatsApp account has a unique account identifier in the form of a verified telephone number. These phone numbers are used by WhatsApp users to identify the intended recipient of the messages that they send as well as the sender of messages that they receive; they are like the telephone numbers of incoming and outgoing calls because they indicate both origin and destination(s).

theft operations. I have reviewed dozens of Home Depot theft reports, surveillance videos/photographs, and related police reports documenting the larcenies referenced here and determined the criminal conduct of these Target Subjects is unyielding. Despite arrests in multiple states for retail theft beginning in 2019 and continuing into April of 2024, the Target Subjects repeat the same or similar patterns of conduct with little regard for any consequences. For example, MORALES DE PAZ has been arrested on at least four occasions in three states for retail theft activity. DAYGER ENRIQUE has been arrested on six occasions in five states for retail theft. LAJUJ-SOLOMAN and AMPEREZ-PEREZ have each been arrested on four occasions in multiple states for retail theft activity.

13. Below are the known retail theft incidents associated with the Target Subjects and their co-conspirators. The Target Subjects and their co-conspirators are linked to these thefts based on security footage, Home Depot internal reporting of the incidents, and, in some cases, related police reports. This graph shows the repeated pattern of thefts across multiple states. As described in more detail below, a review of several phones belonging to the Target Subjects reveals that some of these items were clearly transported across state lines following these thefts to be sold by the Target Subjects⁵.

<u>Date</u>	<u>Location</u>	<u>Retailer</u>	<u>Target Subjects</u>	<u>Stolen Items</u>	<u>Loss</u>
7/12/2019	Cranston, RI	Lowe's	MORALES DE PAZ	Tools	\$495*
11/17/2020	Norwood, MA	Home Depot	MORALES DE PAZ, J.G.C.	Tools	\$1596
11/17/2020	Boston, MA	Home Depot	MORALES DE PAZ, J.G.C.	Tools/flooring	\$3071

⁵ The incidents documented in this graph do not reflect all of the thefts for which this group is suspected. Home Depot references multiple other thefts where members of this group are named in internal loss prevention reports. However, some of these incidents had no available security footage or detailed reports. According to Home Depot Investigator R.S., some loss prevention reporting was diminished in 2020-2021, during the time of the Pandemic. These other suspected incidents will not be referenced herein.

11/22/2020	Bellingham, MA	Home Depot	MORALES DE PAZ, J.G.C.	Flooring/tools	\$3486
12/6/2020	Norwood, MA	Home Depot	MORALES DE PAZ, J.G.C.	Tools/flooring	\$3084***
12/15/2020	Marlboro, MA	Home Depot	MORALES DE PAZ, J.G.C.	Tools/flooring	\$2997
12/20/2020	Norwood, MA	Home Depot	MORALES DE PAZ, J.G.C.	Flooring	\$1799
12/21/2020	Bellingham, MA	Home Depot	MORALES DE PAZ, J.G.C.	Tools/misc. items	\$1669
12/23/2020	Bellingham, MA	Home Depot	MORALES DE PAZ, J.G.C.	Flooring/tools	\$4696
12/23/2020	Seekonk, MA	Home Depot	MORALES DE PAZ, J.G.C.	Flooring, wood/tools	\$1792*
1/1/2021	Norwood, MA	Home Depot	MORALES DE PAZ, J.G.C.	Flooring/tools, generator	\$3203
1/5/2021	Norwood, MA	Home Depot	MORALES DE PAZ, J.G.C.	Tools/misc. items	\$716
1/6/2021	Norwood, MA	Home Depot	MORALES DE PAZ, J.G.C.	Flooring, tools	\$2426*
2/17/2021	Avon, MA	Home Depot	MORALES DE PAZ, J.G.C.	Tools	\$996**
2/2/2022	Warwick, RI	Home Depot	MORALES DE PAZ	Flooring	\$1564
3/22/2022	Coventry, RI	Home Depot	MORALES DE PAZ	Electrical wire	\$884
4/20/2022	Auburn, MA	Home Depot	AMPEREZ PEREZ, A.P., F.J.L.S.	Electrical wire	\$7136*
12/5/2022	Boston, MA	Home Depot	MORALES DE PAZ, DAYGER-ENRIQUE, AMPEREZ PEREZ, F.J.L.S., A.P., J.A.C.P.	Electrical wire	\$7868
12/8/2022	Boston, MA	Home Depot	MORALES DE PAZ, DAYGER-ENRIQUE, F.J.L.S.	Electrical wire	\$17989
12/09/2022	Boston, MA	Home Depot	MORALES DE PAZ, DAYGER-ENRIQUE, AMPEREZ- PEREZ, A.P., J.A.C.P., F.J.L.S., M.P.	Electrical wire	\$12410*

2/16/2023	Montville, CT	Home Depot	MORALES DE PAZ, other unidentified subjects	Electrical wire	\$16619
2/28/2023	Montville, CT	Home Depot	MORALES DE PAZ, other unidentified subjects	Electrical wire	\$13910
3/22/2023	Johnston, RI	Home Depot	MORALES DE PAZ, DAYGER-ENRIQUE, LAJUJ-SOLOMAN	Electrical wire, woodchipper, water heater	Combined with 4/5/23
4/5/2023	Johnston, RI	Home Depot	MORALES DE PAZ, DAYGER-ENRIQUE, LAJUJ-SOLOMAN	Electrical wire	\$28826
4/8/2023	Warwick, RI	Home Depot	DAYGER-ENRIQUE, LAJUJ-SOLOMAN	Electrical wire	\$25896
4/10/2023	Warwick, RI	Khol's	DAYGER-ENRIQUE, LAJUJ-SOLOMAN	Misc. retail items	\$3954*
4/24/2023	Providence, RI	Home Depot	LAJUJ-SOLOMAN, K.C., K.P., M.O.C., M.P.	Electrical wire	\$25044*
6/23/23	Montville, CT	Home Depot	MORALES DE PAZ	Lawnmower, bagger	\$4321
8/28/2023	Fairfield, CT	Home Depot	MORALES DE PAZ, DAYGER-ENRIQUE, AMPEREZ-PEREZ	Electrical wire	\$6945*
11/22/2023	Parkesburg, PA	Home Depot	MORALES DE PAZ, DAYGER-ENRIQUE, LAJUJ-SOLOMAN	Flooring	\$5085
11/22/2023	Downington, PA	Home Depot	MORALES DE PAZ, DAYGER-ENRIQUE, AMPEREZ	Flooring	\$5030

			PEREZ		
11/28/2023	Lebanon, PA	Home Depot	MORALES DE PAZ, DAYGER-ENRIQUE, AMPEREZ PEREZ	Flooring	\$7397
11/27/2023	Wyomissing, PA	Home Depot	MORALES DE PAZ, DAYGER-ENRIQUE, LAJUJ-SOLOMAN, AMPEREZ PEREZ, J.A.C.P.	Flooring	\$2100
12/5/2023	Reading, PA	Home Depot	MORALES DE PAZ, DAYGER-ENRIQUE, LAJUJ-SOLOMAN	Flooring	\$3500*
12/5/2023	Wyomissing, PA	Home Depot	MORALES DE PAZ, DAYGER-ENRIQUE, LAJUJ-SOLOMAN, AMPEREZ PEREZ, J.A.C.P.	Flooring	\$1960*
3/19/2024	Nashua, NH	Home Depot	DAYGER-ENRIQUE	Flooring	\$1983**
3/21/2024	Marlboro, NJ	Home Depot	DAYGER-ENRIQUE, LAJUJ-SOLOMAN	Refrigerator, tools	\$5624**
4/2/2024	Smithfield, RI	Home Depot	MORALES DE PAZ, LAJUJ-SOLOMAN	Flooring	\$900 ⁶
TOTALS					\$238,971
* These items were returned to Home Depot following arrests of suspects.					
** Attempted thefts					
*** Incidents where suspects abandoned a portion of the items and a partial recovery of products was made.					

THE ARRESTS

⁶ This most recent theft total is an estimated loss amount.

14. As previously stated, the Target Subjects have each been arrested in multiple states for their retail theft activity. These arrests by local law enforcement have not proven to be a sufficient deterrent to the Target Subjects, as they have continued the same criminal conduct following each incident. In some cases, the criminal conduct began not long after the arrests took place. For example, on April 10, 2023, Warwick Police Department (WPD) arrested DAYGER-ENRIQUE and LAJUJ-SOLOMAN after they stole more than \$3900 in merchandise from Khol's in Warwick. Approximately two weeks later, detectives from the Johnston Police Department (JPD) arrested LAJUJ-SOLOMAN again on an outstanding arrest warrant from a previous Home Depot larceny. At the time of this arrest by JPD on April 24, 2023, LAJUJ-SOLOMAN was riding in a van containing more than \$25,000 in electrical wire that was stolen from multiple Home Depot locations.

THE CRANSTON, RI ARREST

15. According to Cranston Police Department (CPD), on July 12, 2019, they responded to the Lowe's Home Improvement store located at 247 Garfield Ave. in Cranston for a report of shoplifting. According to the CPD report, Officer Troiano met with Lowe's loss prevention employee D.F. who informed Officer Troiano that a Hispanic male entered the store, selected a total of ten boxes of flooring and floor underlayment, placed them in a cart and purchased the items. This individual, later identified as MORALES DE PAZ, then handed the cart off to a second unidentified Hispanic male who then exited the store with the purchased products. According to the CPD report, D.F. then observed MORALES DE PAZ go back to an aisle in the store and retrieve a second cart of merchandise, pass all points of purchase, and proceed to the main entrance/exit of the store, where he was confronted by D.F. D.F. informed police that the items in MORALES DE PAZ's second cart were the exact duplicate items that he had just paid for (10

boxes of flooring products). D.F. reported that these items totaled \$495.15.

16. D.F. confronted MORALES DE PAZ, escorted him to another loss prevention officer and contacted the CPD. I have spoken to D.F. who looked up this incident, informed me that he recalled the matter. D.F. referenced the method of purchasing product, paying for them, and stealing duplicates of these products as “double dipping”.

17. According to the CPD report, when Officer Troiano asked MORALES DE PAZ to write his name on a piece of paper, MORALES DE PAZ wrote the name “Hamersson Perez”. Following MORALES DE PAZ’s arrest, during the booking process, CPD became aware of MORALES DE PAZ’s true name while running his fingerprints. MORALES DE PAZ was charged with shoplifting for his role in this incident. At the time of his arrest, MORALES DE PAZ gave a home address in Providence, RI.

THE SEEKONK, MA ARREST

18. According to a police report provided to me by the Seekonk Police Department (SPD), that department arrested MORALES DE PAZ on December 23, 2020, while he attempted to steal more than \$1,500 in merchandise from Home Depot located at 95 Highland Avenue in Seekonk. According to this report, SPD responded to Home Depot following a report of shoplifting and stated that the suspect was driving a red pickup truck bearing a Rhode Island registration. Upon arriving at the Home Depot parking lot, SPD Officer Michael Knox directed his attention towards a red pickup truck bearing a Rhode Island registration that did not match the vehicle. SPD Officers observed that there was a cart loaded with merchandise next to the red pickup truck. SPD then observed a male approach the truck and begin loading wood into the bed of the truck⁷. SPD Officers then approached this individual, who provided his name as “Miguel

⁷ Home Depot determined that MORALES DE PAZ legally purchased these lumber products.

Juarez" and provided a date of birth of 07/21/1999. SPD later identified this individual as MORALES DE PAZ during the fingerprinting process at SPD headquarters⁸. According to SPD, MORALES DE PAZ did not speak English and they communicated with him using an interpreter over a cell phone.

19. The report states that MORALES DE PAZ informed police that he came to the Home Depot with "Julio" and did not have the keys to the truck. MORALES DE PAZ then contacted Julio via his cell phone and requested that Julio come to the truck. The report states that Julio refused to come to the scene or speak with police and hung up the phone.

20. SPD Officers then spoke with Home Depot loss prevention officer D.L., who informed them that MORALES DE PAZ and Julio entered the store together and then split up once inside of the store. D.L. observed MORALES DE PAZ watching D.L. and possibly acting as a lookout for Julio while in the store. D.L. stated that he observed MORALES DE PAZ communicate with Julio while in the flooring department. D.L. stated that Julio loaded 30 boxes of vinyl plank flooring into a cart and walked out of the store past all points of purchase without paying for the items. D.L. contacted the SPD and attempted to confront Julio who refused to acknowledge D.L. D.L. stated that Julio observed the police enter the parking lot and abandoned the cart with the stolen flooring. D.L. stated that he also observed Julio over surveillance video remove his sweatshirt and hat and leave the scene.

21. SPD placed MORALES DE PAZ under arrest. Upon arresting MORALES DE PAZ, officers found the keys to the truck located on his person. Police also located receipts from various Massachusetts Home Depot stores in MORALES DE PAZ's wallet. SPD then conducted

⁸ The report states that MORALES DE PAZ provided his true name while being fingerprinted. The fingerprint results confirmed this identity.

an inventory of the red pickup truck prior to having it towed. This inventory resulted in the discovery of 7 DeWalt tools from five different Home Depot stores, including stores in Coventry and Smithfield, in the District of Rhode Island. Home Depot loss prevention personnel determined that these tools were valued at approximately \$750 and were stolen⁹.

22. According to the SPD report, following his arrest, MORALES DE PAZ voluntarily gave a statement to police¹⁰. During this interview, MORALES DE PAZ stated that he went to the Home Depot with his boss, Julio, to get flooring. MORALES DE PAZ stated that he and Julio work construction together. MORALES DE PAZ stated that Julio gave him the truck keys and told him to wait in the truck once he was done in the store. MORALES DE PAZ stated that he was loading the truck when encountered by police and paid for his purchases. MORALES DE PAZ stated that he had not been to any other Home Depots in the past few days. When confronted about the receipts discovered in his wallet, MORALES DE PAZ admitted that he had been to Home Depots near sites where he was working. MORALES DE PAZ gave an address and phone number for Julio and stated that the truck they were in belonged to Julio's father¹¹.

23. At the time of his booking at SPD, MORALES DE PAZ provided a home address located in Providence, RI.

THE NORWOOD, MA ARRESTS

⁹ SPD did not find any receipts for the DeWalt tools among MORALES DE PAZ's inventoried items.

¹⁰ This interview was conducted in Spanish, using the assistance of a Spanish-speaking officer.

¹¹ Based on the address given by MORALES DE PAZ, coordination with Home Depot loss prevention personnel and information sharing with Norwood Police Department, SPD later determined that Julio is likely J.G.C. (YOB: 2000), who was arrested with MORALES DE PAZ at Home Depot in Norwood approximately two weeks later as described below. J.G.C. was arrested on multiple occasions in 2022 and 2023 in Providence for unrelated charges.

24. According to a report from the Norwood Police Department (NPD), on January 6, 2021, they arrested MORALES DE PAZ for his role in attempting to steal multiple items from the Home Depot located at 1415 Boston-Providence Highway in Norwood, MA. I reviewed a copy of this arrest report and discovered that on this date, Officer Kevin McDonough reported that while on patrol at the Home Depot parking lot, a loss prevention officer D.D. informed him that there were two Hispanic males currently shoplifting at that Home Depot. D.D. reported that these individuals had already loaded several stolen items into a black pickup truck. Officer McDonough then observed a black pickup truck (a Ford F-150) bearing Vermont license plates that were registered to a white Honda Civic. Officer McDonough observed that the bed of the truck contained floorboards.

25. D.D. informed Officer McDonough that one of the two Hispanic males was currently in the parking lot and directed the Officer towards an individual, later identified as J.G.C.¹² (YOB: 2000). According to the report, Officer McDonough arrested J.G.C. During the arrest, NPD discovered a small amount of illegal narcotics (Cocaine) in his pocket. D.D. informed Officer McDonough that the second Hispanic male that was involved in the shoplifting had fled on foot towards a parking lot adjacent to Home Depot. Additional NPD Officers later found this individual, later identified as MORALES DE PAZ, hiding under a tractor trailer unit. D.D. informed NPD Officers that MORALES DE PAZ was the individual that he saw attempting to steal merchandise from the Home Depot before fleeing the store and making his way over a fence and through some woods.

26. According to the NPD report, Home Depot loss prevention officers D.D. and C.G.

¹² Although this individual is referenced in the NPD report as J.G.C., he has been fully identified through immigration records as J.A.G.C.

reviewed video surveillance from inside of the Home Depot and determined that J.G.C. and MORALES DE PAZ entered the store and J.G.C. then purchased disinfectant wipes. J.G.C. then loaded 31 floorboards onto a flatbed dolly and affixed a sticker on top of the floorboards for an item that had been purchased online in an attempt to make it look as though the floorboards had been purchased legitimately. Surveillance video also showed MORALES DE PAZ place two nail gun kits into a “27 gallon tote” and attempt to leave the store without paying for the items. According to the report, the floorboards, two nail guns and a pair of gloves taken by J.G.C. and MORALES DE PAZ were valued at more than \$2,400.

27. NPD determined that the black pickup truck used by J.G.C. and MORALES DE PAZ that bore incorrect license plates would be towed from the Home Depot parking lot. NPD conducted an inventory of the vehicle and discovered a power drill and circular saw both still in their boxes. Home Depot staff determined that these two items were stolen from the Home Depot in Coventry, in the District of Rhode Island, and were valued at \$998.

28. According to the NPD report, Home Depot loss prevention personnel informed NPD that these same two individuals, MORALES DE PAZ and J.G.C., were captured on surveillance video shoplifting approximately \$3,000 in merchandise from the Norwood Home Depot on January 1, 2021, and were operating the same black pickup truck on that date. In this prior incident the two took 30 units of floorboards and a generator. On this same date, the two then attempted to return these items to the Home Depot located in Avon, MA.

29. I obtained a report from Home Depot (Report C-2025157) documenting other cases of retail theft tied to MORALES DE PAZ and others and determined that on December 20, 2020, MORALES DE PAZ and J.G.C. were captured on video surveillance stealing an additional 30 cases of flooring from the Norwood Home Depot, valued at more than \$1,700. In this case, Home

Depot reported that the two worked together to load the flooring into a cart. MORALES DE PAZ then purchased several items, placed them in a Home Depot bag and returned to the aisle where he and J.G.C. had their cart containing the flooring. MORALES DE PAZ then placed the Home Depot bag on top of the flooring in an effort to make it appear that all the items had been legally purchased. MORALES DE PAZ then selected several additional items that he purchased while J.G.C. exited the store with the cart containing the stolen flooring. Home Depot loss prevention personnel were able to observe J.G.C. load the flooring into a red pickup truck and then depart the area along with MORALES DE PAZ.

30. At the time of their booking at NPD on January 6, 2021, MORALES DE PAZ and J.G.C. gave home addresses in Providence, RI. Charging documents from this incident from Dedham District Court reveal that MORALES DE PAZ and J.G.C. were criminally charged with larceny and receiving stolen property. J.G.C. was also charged with possession of narcotics.

THE AUBURN, MA ARRESTS

31. On April 20, 2022, AMPEREZ-PEREZ and two other co-conspirators, F.J.L.S. (YOB: 1997) and A.P.¹³ (YOB: 1993) were arrested by Auburn Police outside of the Home Depot in Auburn, MA in possession of more than \$7,000 in stolen electrical wire, electrical breakers, and other items taken from Home Depot. According to the Auburn Police, the wire was concealed inside of a bathroom vanity box that the suspects began to unload into a white van in the parking lot after leaving Home Depot. Auburn Police described two additional unidentified males who ran from the scene and eluded arrest.

32. Following this incident, AMPEREZ-PEREZ, F.J.L.S., and A.P. were all charged

¹³ A.P. was identified in the Auburn Police report as A.S.P.P.P. However, based on the same date of birth and FBI#, I am aware that this is the same individual.

with Receiving Stolen Property and arraigned in the Worcester District Court.

THE BOSTON, MA ARRESTS

33. On December 9, 2022, officers from Boston Police Department (BPD) arrested six individuals at the Home Depot located at 1213 VFW Parkway in Boston (West Roxbury) for their participation in a retail theft incident. According to this report, on December 9, 2022, Home Depot Asset Protection Officer C.G. contacted BPD regarding a group of males who were captured on CCTV footage the day before stealing approximately 120 spools of electrical wire. According to C.G., these males entered the store on December 8, 2022, and loaded up a Home Depot bathtub box with the wire spools and checked out at the cashier where they only paid \$339 for the bathtub. C.G. estimated that on this December 8, 2022 incident, the group stole approximately \$17,989 in electrical wire.

34. On December 9, 2022, while BPD were at the Home Depot, C.G. explained to BPD that these males were back in the store again and observed them on CCTV loading up two kitchen cabinets with electrical wire. BPD Officers approached a white van parked outside of Home Depot occupied by two Hispanic males. BPD observed that the passenger of this van was one of the same individuals observed on CCTV footage stealing electrical wire from the previous day. This individual was placed into custody and identified as J.A.C.P. (YOB: 1985). A second male in the van was also detained and identified as DAYGER-ENRIQUE, one of the Target Subjects¹⁴.

35. On December 9, 2022, BPD Officers discovered that there were four additional males inside of the Home Depot who finished loading up the electrical wire concealed inside

¹⁴ It should be noted that after reviewing surveillance footage of this incident, Home Depot loss prevention personnel observed that BPD encountered Jose PIRIR and Miguel PEREZ in the van, not DAYGER-ENRIQUE. DAYGER-ENRIQUE was observed in the Home Depot participating in the attempted theft and apprehended by BPD as he exited the store.

boxes. Additional BPD Officers were called to assist. According to the BPD report, the four suspects inside of the store abandoned their carts full of merchandise and exited out different doors of the store, where they were met by BPD officers and arrested. The report states that the abandoned items totaled more than \$13,000. The four additional suspects were identified as A.P. (YOB: 1993), F.J.L.S. (YOB: 1997), M.P. (YOB: 1986), and AMPEREZ PEREZ, one of the Target Subjects. All six suspects have been identified as Guatemalan nationals who claim to reside in Providence, RI.

36. Following the arrests of these six individuals, BPD found a receipt for the bathtub purchased the day before and whose box was used to conceal the 120 spools of stolen electrical wire. There were also receipts from other Home Depots in Mansfield (MA), South Attleboro (MA) and Manchester (NH).

37. Following their arrests, all six suspects were released on cash bail posted by R.V. (YOB: 1970) of Providence. A condition for their release was to stay away from all Home Depot stores, according to paperwork I reviewed from the West Roxbury District Court dated December 9, 2022. Both of the Target Subjects referenced herein (DAYGER-ENRIQUE and AMPEREZ-PEREZ) have since returned to Home Depot stores, where they continued to steal merchandise.

38. I have since spoken with Home Depot Organized Retail Crime Investigator R.S. about this incident. R.S. informed me that Home Depot loss prevention personnel have conducted analysis of these two theft incidents from the Boston store and determined that, although he eluded arrest, MORALES DE PAZ was also present and involved in both of these incidents in Boston. Home Depot personnel prepared reports documenting their review of surveillance footage taken at the Boston store on December 8-9, 2022. I have reviewed these reports.

39. According to the Home Depot report for December 8, 2022, MORALES DE PAZ

entered the store at approximately 6:09 AM, followed shortly thereafter by DAYGER-ENRIQUE¹⁵, and the others. The subjects were then observed selecting a large, boxed kitchen cabinet and placing it in a cart. MORALES DE PAZ was then observed entering the aisle containing electrical wire, where he could be seen waving to DAYGER-ENRIQUE and then cutting open the kitchen cabinet box. MORALES DE PAZ was then observed then placing 250-foot spools of electrical wire inside to the cabinet box. F.J.L.S. assisted MORALES DE PAZ with this task while DAYGER-ENRIQUE and A.P. acted as lookouts at each end of the aisle. Once the box was full, MORALES DE PAZ closed the box and F.J.L.S. pushed the cart to another aisle.

40. According to the Home Depot report, the subjects then moved to the bathtub aisle and selected a boxed bathtub, removed the bathtub from the box and left the tub on that aisle. The subjects then placed the empty bathtub box on a cart and returned to the electrical wire aisle. MORALES DE PAZ and DAYGER-ENRIQUE then loaded 1,000-foot spools of electrical wire into the empty bathtub box, closed the box and moved the cart to the aisle with the other loaded box.

41. The subjects then returned to the kitchen cabinet aisle and selected a second boxed kitchen cabinet and returned to the electrical wire aisle, where MORALES DE PAZ and F.J.L.S. loaded the box with both 1,000 and 250-foot electrical wire spools. MORALES DE PAZ was then observed using clear plastic tape to seal all three boxes containing electrical wire and leading the group towards the cashiers. MORALES DE PAZ and A.P. then presented their cart containing the sealed bathtub box and several smaller items to a cashier and paid in cash. The bathtub was valued at \$339. They then exited the store with the items, including the spools of wire concealed inside

¹⁵ DAYGER-ENRIQUE is referenced in the Home Depot report and at least once in the BPD report as Abraham Dayger-Enrique Garcia Coy.

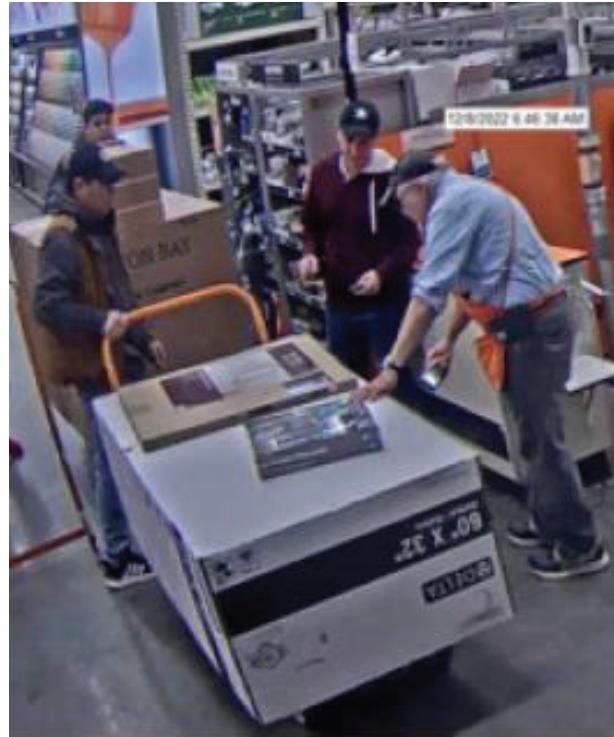
of the bathtub box. Neither MORALES DE PAZ nor A.P. declared or paid for the electrical wire. DAYGER-ENRIQUE and F.J.L.S. then presented the sealed cabinet boxes to the cashier and MORALES DE PAZ paid for all items in cash handing the cashier \$1,130 and receiving more than \$2 in change. The group then exited the store with approximately \$17,989 in stolen electrical wire. Surveillance video revealed that once in the parking lot, the group removed the electrical wire from the bathtub box, placed it in a van and discarded that box. They loaded the two cabinet boxes into the same van. The group then went to the Norwood Home Depot, where A.P. and an individual identified as J.P. (J.A.C.P.) returned one of the cabinets that was used to conceal the stolen wire along with several smaller items that were purchased in Boston approximately one hour earlier. The group removed the wire prior to returning this cabinet and received a cash refund from Home Depot in Norwood.

42. At approximately 8:05 AM on this same date (December 8, 2022), Home Depot loss prevention reports that MORALES DE PAZ, A.P and F.J.L.S. entered the Mansfield Home Depot. A.P. selected the identical bathtub that they used to conceal the stolen wire from the Boston Home Depot and approached the service desk, presented the receipt for the tub from the Boston store in what appeared to be a possible attempt to fraudulently present this item as the tub from the Boston theft for a refund. Instead of completing a fraudulent return, A.P. exited the store with the tub and loaded it into the van without paying.

43. While at the Mansfield Home Depot, MORALES DE PAZ and F.J.L.S. selected another cabinet, concealed it with unknown merchandise and paid for the cabinet. They could be seen emptying the cabinet box of suspected unidentified stolen merchandise in the parking lot before J.P. (J.A.C.P.) returned the cabinet to the same Home Depot using the receipt they just obtained.

44. Lastly, according to Home Depot loss prevention, the group then traveled to the South Attleboro Home Depot and returned the second cabinet that they purchased that morning in Boston (minus the concealed electrical wire). The report does not specify which subject returned this cabinet for a refund. I spoke with Organized Retail Crime Investigator R.S., who informed me that this group regularly purchases these same cabinets to conceal stolen electrical wire and then returns these cabinets for a refund at a different Home Depot location. According to R.S., based on her analysis of the purchase and return of these specific cabinets (36" Sink Base Cabinets), this group has purchased cabinets on two occasions in January and February of 2023 in Montville, CT, and then returned the same cabinets at a Home Depot store in Providence, RI.

45. The following photos were taken from Home Depot video surveillance footage at the Boston Home Depot on December 8, 2022:



MORALES DE PAZ overseeing the checkout of the bathtub and cabinet boxes containing electrical wire in Boston on 12/08/2022.



MORALES DE PAZ paying for all concealed items at Home Depot Boston on 12/08/2022.



MORALES DE PAZ leaving the Home Depot Boston on 12/08/2022.

46. Home Depot loss prevention completed a second report documenting the events that occurred on December 9, 2022, that led to the arrests at the Home Depot in Boston. This report also documents that MORALES DE PAZ was present and participated in this retail theft operation but eluded arrest by Boston Police. This conclusion was a result of loss prevention's review of surveillance footage from the Boston Home Depot on this date.

47. According to this report for December 9, 2022, surveillance footage observed MORALES DE PAZ and four additional subjects exit a white van in the parking lot and enter the Boston Home Depot beginning at approximately 6:17 AM. According to the report, the group

performed a similar exercise as the previous day, where they obtained several large cabinet boxes, opened them, and filled them with electrical wire. Several participants again served as lookouts, while MORALES DE PAZ and F.J.L.S. filled the boxes with electrical wire.

48. When the group approached the cashiers with two sealed cabinet boxes full of electrical wire, video surveillance captured F.J.L.S. and A.P. attempting to use their cell phones. According to the Home Depot report, at this same time, Boston Police Officer Scott Roby had approached the van parked in the parking lot and detained J.P. (J.A.C.P.) and M.P. Officer Roby reported that the cell phones of the two suspects in the parking lot were ringing while they were detained.

49. The report states that MORALES DE PAZ could be seen exiting the Home Depot and observing the Boston Police in the parking lot. He then went back into the store and made a call from his cell phone. At the same time, A.P.'s phone rang, and he answered it. The members of the group, including DAYGER-ENRIQUE could be seen abandoning their carts and exiting the store, where they were arrested by Boston Police officers. The report states that MORALES DE PAZ escaped from the building while the others were being apprehended. The total amount of electrical wire that they group attempted to steal on this occasion totaled \$12,410, according to the report.

50. The following photos were taken from Home Depot video surveillance footage taken at the Boston Home Depot on December 9, 2022:



MORALES DE PAZ and F.J.L.S. loading electrical wire into cabinet box.



Boston Police and Home Depot staff unloading electrical wire from a cabinet box.



MORALES DE PAZ exiting the Home Depot



DAYGER-ENRIQUE apprehended exiting the Home Depot

THE WARWICK, RI ARRESTS

51. I have discussed this case with Warwick Police Department (WPD) Detective Matthew Smith and discovered that WPD recorded several incidents in April of 2023, where known members of this group, including DAYGER-ENRIQUE and LAJUJ-SOLOMAN, conducted retail theft operations in Warwick.

52. Detective Smith provided me police reports documenting these incidents. The first of these retail theft incidents occurred on April 8, 2023, at the Home Depot located at 80 Universal Blvd. in Warwick. According to the associated Warwick Police report, on April 19, 2023, Organized Retail Crime Investigator R.S. reported to WPD that she discovered the theft of approximately \$25,896 in electrical wire from an incident that occurred on April 8, 2023. R.S. reported that on April 8, 2023, two subjects she knows to be DAYGER-ENRIQUE and M.S.¹⁶ entered the Warwick Home Depot and filled a large cabinet box and hot water heater box with spools of electrical wire. I have since reviewed multiple photos and videos of this incident and determined that the individual who conducted this theft with DAYGER-ENRIQUE was LAJUJ-SOLOMAN and not M.S. The subjects removed the hot water heater from its box and left it on an aisle in the store. The two subjects then filled the two boxes with spools of electrical wire and retaped the boxes shut. DAYGER-ENRIQUE paid for the cabinet while LAJUJ-SOLOMAN wheeled his cart containing the hot water heater box believed to have been filled with electrical wire past the Home Depot cashier without paying as seen below:

¹⁶ Home Depot Investigator R.S. identified this individual as M.S. in her report documenting this theft from Home Depot in Warwick. Based on this information, I also referenced this individual as M.S. in my October 2, 2023, affidavit in support of an application for a search warrant for three cell phones (23-SW-248) associated with this investigation. However, based on further review of surveillance footage and photographs, I am aware that the individual depicted in these photographs stealing items from the Warwick Home Depot in April of 2023 is LAJUJ-SOLOMAN.



53. DAYGER-ENRIQUE then departed the store with the cabinet box containing the electrical wire without paying for the wire as seen below:



54. I reviewed several surveillance videos of this incident and observed that DAYGER-ENRIQUE and LAJUJ-SOLOMAN exit the store, unload the merchandise into parked vans and

return inside the store a second time. During this second trip into the store, DAYGER-ENRIQUE purchased lumber and other products and appears to shield the view of the Home Depot cashier as LAJUJ-SOLOMAN again wheels out the cart containing the hot water heater box believed to contain electrical wire spools without paying as seen below:



55. The WPD report states that there were no operational cameras in the area of the electrical wire display inside of Home Depot at the time of the theft. However, R.S. provided WPD with pre-theft and post-theft inventory tracking for the items stolen and determined that DAYGER-ENRIQUE and LAJUJ-SOLOMAN stole 184 rolls of electrical wire. R.S. also reported that the lock securing the wire display in the aisle was found cut and lying on the floor after the incident.

56. The second of these retail theft incidents occurred on April 10, 2023, when WPD arrested LAJUJ-SOLOMAN and DAYGER-ENRIQUE for retail theft of the Kohl's located at 650 Bald Hill Road in Warwick.

57. According to a WPD police report, on April 10, 2023, WPD responded to a shoplifting incident in progress at Kohl's. Kohl's loss prevention employees identified two males who placed a large amount of merchandise into several pieces of luggage and walked out of the store without paying for these items and additional items that they were carrying. The Kohl's employees stated that the males entered a white van that departed the parking lot area. WPD then observed this van and conducted traffic stop on the vehicle, which bore a temporary Tennessee registration of QDWNKNN. According to the WPD report, after this van stopped for police, a male in the passenger seat opened the door and fled on foot. This individual, later identified as LAJUJ SOLOMAN, was apprehended a short time later by WPD and taken into custody. A second individual identified by Kohl's loss prevention employees was also present in the van and placed under arrest by WPD. This individual was identified in the report as DAYGER-ENRIQUE. There were three additional males in the van at the time of this incident. These individuals were identified and released¹⁷.

58. WPD recovered the items stolen from Kohl's and returned the merchandise to Kohl's employees. According to Kohl's loss prevention officers, the items stolen by LAJUJ-SOLOMAN and DAYGER-ENRIQUE totaled more than \$3,900. At the time of their arrests, DAYGER-ENRIQUE and LAJUJ-SOLOMAN listed home addresses in Providence, RI.

THE JOHNSTON, RI ARREST

¹⁷ According to the WPD report, these three individuals were identified as K.C. (YOB: 2002), M.C. (YOB: 1989) and J.C. (YOB: 1985).

59. As part of this investigation, I learned that JPD is also investigating some of the Target Subjects for retail theft incidents in their jurisdiction. On May 10, 2023, I spoke with JPD Detective Derek Parascandolo, who informed me that his department obtained state arrest warrants for three Guatemalan nationals following two large-scale retail theft incidents reported to them by Home Depot in Johnston.

60. Detective Parascandolo provided me with police reports documenting their investigation. I have reviewed these reports, as well as supplemental information provided to JPD by Home Depot loss prevention officers. According to the JPD reports, on April 7, 2023, JPD officers responded to the Home Depot located at 100 Stone Hill Drive in Johnston after receiving a call from that store's loss prevention officer Y.B. Y.B. reported that there were two separate incidents on March 22, 2023, and again on April 5, 2023, where Hispanic males entered the Johnston Home Depot and left with more than \$12,000 in unpaid merchandise, including a woodchipper, a water heater, and electrical wire. According to the report, on April 5, 2023, the individuals concealed 60 rolls of electrical wire into two cabinet boxes. The individuals then paid for the cabinets in a self-checkout line. They did not pay for the electrical wire that they concealed inside of the cabinet boxes.

61. According to the JPD report, after conducting an inventory and reviewing surveillance footage, Y.B. revised the loss amounts from these two incidents to \$26,826. Y.B. also revealed that to facilitate the theft of a large amount of wire spools, the suspects likely removed several items from their original packaging, filled these boxes with wire and stole the items in this manner. For example, on April 5, 2023, Home Depot surveillance video captured DAYGER-ENRIQUE and LUJUJ-SOLOMAN exiting the Johnston Home Depot with cabinet boxes believed to have been filed with electrical wire as seen below:



62. Home Depot also provided surveillance photos documenting some of the retail theft that occurred at their Johnston store on March 22, 2023, including the photos below of DAYGER-ENRIQUE¹⁸ and LAJUJ-SOLOMAN exiting the store with a woodchipper for which they did not render payment as seen below:

¹⁸ On October 2, 2023, I submitted an affidavit in support of an application for a search warrant for three cell phones (23-SW-248). In that affidavit, I inadvertently identified the individual depicted below pushing the woodchipper in the vest and stripped shirt at the Johnston Home Depot as MORALES DE PAZ. Further review of the footage and photos taken from this March 22, 2023 theft, reveals that the individual depicted here is DAYGER-ENRIQUE and not MORALES DE PAZ.



63. On this same date, LAJUJ-SOLOMAN was captured on surveillance footage with multiple spools of electrical wire and DAYGER-ENRIQUE was captured on video exiting the store with a large, opened box, commonly used by this group to conceal this electrical wire as seen below¹⁹:

¹⁹ It should be noted that on March 11, 2023, after exiting the stealing the woodchipper from the Johnston Home Depot, DAYGER-ENRIQUE re-entered the shore wearing a different hat and no vest. I am aware from this investigation and others that those engaged in retail theft incidents will sometimes change their clothing to avoid detection when re-entering a store to commit additional thefts.



64. Y.B. also informed Detective Parascandolo that through her review of surveillance footage, she recognized one of the suspects as "Marvin Coy". Y.B. stated that she also knows

COY by the alias of "Marvin Estuardo"²⁰. Y.B. stated that she recognized COY/ESTUARDO from an incident where he was previously arrested at the Johnston Home Depot. Detective Parascandolo provided me with a JPD report documenting several incidents in 2021, where MORALES DE PAZ was encountered by loss prevention personnel, including Y.B.

65. Home Depot reported to JPD that on July 28, 2021, and again on July 31, 2021, an individual (later identified to be MORALES DE PAZ) attempted to steal a large amount of flooring materials totaling more than \$1,000. According to this same report, on October 14, 2021, Y.B. contacted JPD and informed them that COY/ESTUARDO (MORALES DE PAZ) was back in the Johnston Home Depot. JPD responded to the Home Depot and identified MORALES DE PAZ as the same individual who was seen attempting to steal flooring in August of 2021. As JPD officers approached MORALES DE PAZ, he began to flee on foot but stopped after an officer command him to do so. The JPD report stated that at the time of this encounter, MORALES DE PAZ also had an active arrest warrant for a separate offense. JPD arrested MORALES DE PAZ²¹.

66. Based on this information, Detective Parascandolo informed me that he initiated an investigation into these retail theft incidents at the Johnston Home Depot. Detective Parascandolo reported that he reviewed video surveillance footage from these incidents and observed the suspects in the Home Depot conducting the thefts. Through Home Depot loss prevention employees, Detective Parascandolo became aware of the similar thefts that occurred in Boston, MA in December of 2022 as previously mentioned herein. Based on this information, Detective

²⁰ I have reviewed Home Depot Johnston surveillance photos of the individual described here as Marvin COY/ESTUARDO. I have also viewed Department of Homeland Security records for Marvin Estuardo MORALES DE PAZ and I know that Marvin COY/ESTUARDO is Marvin Estuardo MORALES DE PAZ, one of the Target Subjects.

²¹ At the time of this arrest, MORALES DE PAZ identified himself as Hamersson PEREZ (YOB: 1994).

Parascandolo reported that he communicated with the Suffolk County District Attorney's Office in Massachusetts and requested arrest photographs from the December theft at the Home Depot in Boston. Detective Parascandolo received these arrest photos and compared them to the individuals captured on video surveillance at the Home Depot in Johnston who stole more than \$26,000 in merchandise in March and April of 2023. Based on this photo/video comparison and consultation with Home Depot loss prevention personnel, JPD obtained state arrest warrants for larceny and felony conspiracy for:

Marvin Estuardo MORALES DE PAZ²²

Sebastian LAJUJ-SOLOMAN²³

Abraham DAYGER-ENRIQUE²⁴

67. According to a JPD arrest report, on April 24, 2023, JPD officers conducted surveillance in Providence, RI, where they observed a white van similar in appearance to the van used to transport suspects in both the Boston and Johnston shoplifting incidents. JPD officers observed four Hispanic males exit the van and enter a business on Hartford Avenue. The van bore the same temporary Tennessee license plate encountered by Warwick Police during the arrest of

²² Based on previous arrest reports linked to MORALES DE PAZ, I have discovered that he uses multiple aliases, including Marvin Estuardo COY PIRIR, Marvin M. ESTUARDO, Marvin E. MORALES and Hamersson PEREZ. MORALES DE PAZ has also used numerous different dates of birth.

²³ Detective Parascandolo reported that he initially mistakenly identified LAJUJ-SOLOMAN as Miguel PEREZ, another one of the subjects arrested in Boston in December of 2022. According to Detective Parascandolo's report, he corrected this and positively identified LAJUJ-SOLOMAN on April 24, 2023.

²⁴ In several Home Depot loss prevention documents, DAYGER-ENRIQUE's name appears as Abraham Dayger-Enrique GARCIA COY.

DAYGER-ENRIQUE and LAJUJ-SOLOMAN earlier this same month²⁵. When the males exited the business and returned to the van, JPD officers continued to follow and stopped the van in the area of 130 Sterling Avenue in Providence. JPD officers asked that all four males exit the van²⁶. Detective Parascandolo reported that while the subjects were exiting the van, he observed in plain view copper wire bundles stacked on top of each other in the rear of the van. The four occupants of the van, K.R.C. (YOB: 2002), K.A.P. (YOB: 2004), M.O.C. (YOB: 1989), and LAJUJ-SOLOMAN were identified by JPD.

68. JPD officers took LAJUJ-SOLOMAN into custody on the active Rhode Island arrest warrant for larceny and felony conspiracy charges. The other occupants of the van were released. Based on the circumstances, where potential stolen merchandise was in plain view in the van, JPD requested that they van be towed to JPD.

69. Once at JPD, officers conducted an inventory of the items located in the van. According to reporting by JPD and discussions with Detective Parascandolo, I have determined that while conducting an inventory of the items contained in the van occupied by LAJUJ-SOLOMAN prior to his arrest, JPD discovered 110 spools/rolls of electrical wire and 11 electrical/circuit breakers. I observed photographs of these items provided by JPD and observed that many of these items had visible Home Depot bar codes. Based on the labels of the items inventoried, JPD estimated that these items had a retail value that exceeded \$25,000. The items were turned over to Home Depot loss prevention.

70. On May 16, 2023, I contacted R.S., the Organized Retail Crime Investigator for

²⁵ A check of this van's VIN reveals that it is registered to a used car dealership in Nashville, TN.

²⁶ According to the JPD report, a Spanish-speaking officer was called to the scene to provide translation assistance.

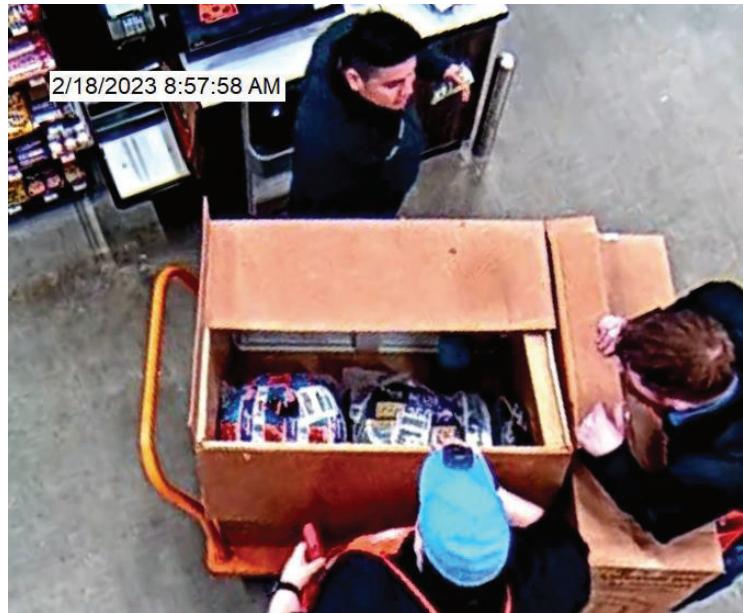
Home Depot. R.S. was aware of the arrest of LAJUJ-SOLOMAN and the discovery of the Home Depot merchandise recovered by JPD. According to R.S., she reviewed these items recovered by JPD and estimated that the items were valued at nearly \$30,000. Furthermore, R.S. stated that based on the bar codes and markings affixed to the items, she determined that the spools of wire originated from five Home Depot locations, including, Johnston, Warwick, Coventry, Chester (VA), and Chesapeake (VA). R.S. informed me that after receiving the wire from JPD, she separated the electrical wire originating from the Home Depot stores in Virginia and estimated that these products have a retail value of approximately \$10,000. R.S. informed me that she is working with her counterparts in Virginia to determine when these items may have been stolen from these two locations.

71. According to Detective Parascandolo, during the inventory of the van, JPD also discovered a Huawei cell phone in the glovebox of the vehicle. According to JPD officers, following the discovery of the phone during the inventory process, the cell phone was taken into evidence for safekeeping. The cell phone was not searched²⁷.

72. Through my investigation, I have discovered that the van that was towed and inventoried in this case was also previously encountered by law enforcement on February 18, 2023, in the parking lot of the Home Depot located in Rockland, Maine. On that date, Home Depot loss prevention personnel discovered that a group of individuals were attempting to steal more than \$1,900 in electrical wire and other merchandise concealed in a box of another item in a similar manner as other instances referenced herein and as seen below taken from surveillance video in

²⁷ On May 22, 2023, United States Magistrate Judge Lincoln D. Almond authorized a search warrant for this cell phone seized the van at the time of LAJUJ SOLOMAN's arrest. This phone, which was password protected, was submitted to HSI Boston's Digital Forensics Group for extraction and analysis. However, an extraction of this cell phone was unsuccessful.

the Rockland Home Depot:



73. As a result of this attempted theft, the Rockland Police were contacted and responded. Due to the language barrier and the fact that the subjects all presented Guatemalan identity documents, the Rockland Police contacted the United States Border Patrol (USBP) for assistance. USBP Officer Jacob Stukenberg responded and noted in his report that he initially engaged with two individuals in a white Ford van bearing the same temporary Tennessee license plate as the van stopped in Warwick and Providence in April of 2023. USBP Officer Stukenberg determined that all six individuals he encountered at the Home Depot parking lot were Guatemalan nationals residing illegally in the United States. Officer Stukenberg arrested these individuals on administrative immigration violations and placed them in the custody of Immigration and Customs Enforcement (ICE). Several of the same individuals were present in the van in Rockland as in previous encounters with this group, including A.P., who was arrested at the Auburn Home Depot in April of 2022 and the Boston Home Depot in December of 2022, along with several of the Target Subjects.

THE FAIRFIELD, CT ARRESTS

74. On August 28, 2023, JPD Detective Parascandolo notified me that FPD arrested MORALES DE PAZ, DAYGER-ENRIQUE and AMPEREZ-PEREZ at a Home Depot in Fairfield, Connecticut. On August 29, 2023, I spoke with FPD Sergeant Michael Stahl who confirmed the arrests of the three subjects after responding to a report of a larceny in progress at the Home Depot in Fairfield. Sergeant Stahl notified me that the three subjects were detained, and each had a cell phone in their possession at the time of their arrests²⁸. FPD provided a copy of the arrest report documenting this incident. According to the report, when FPD officers arrived in the parking lot of Home Depot, they observed the three males loading rolls of electrical wire from open cabinet vanity boxes into a white “Ford Transit Van”. FPD arrested the three males and transported them to FPD. According to the report, none of the males had any identification on them at the time of their arrest.

75. According to the FPD report, officers spoke with Home Depot Asset Protection Specialist (APS) K.P., who informed the police that the three males entered the store with no merchandise at approximately 6:30 AM. K.P. informed the police that he observed the three males select the rolls of electrical wire and conceal the items in cabinet vanity boxes. K.P. made these observations using security cameras and in person while at the store. The three males then paid for the cabinet vanity boxes using cash but did not pay for the electrical wire inside of the boxes. K.P. informed FPD that he recognized the males as the same individuals who previously committed another larceny at the same Home Depot location. Following the arrests of MORALES

²⁸ On September 6, 2023, HSI Special Agent Nicholas Conforti retrieved the three cell phones seized from MORALES DE PAZ, DAYGER-ENRIQUE, and AMPEREZ-PEREZ and transported them to the HSI office in Warwick, RI, where they were secured into evidence. As previously referenced herein, on October 2, 2023, United States Magistrate Judge Patricia A. Sullivan authorized the search of the three cell phones. The results of the search of these phones will be discussed later in this affidavit.

DE PAZ, DAYGER-ENRIQUE and AMPEREZ-PEREZ, FPD recovered 75 rolls of electrical wire valued at \$6,945, according to the FPD report.

76. I reviewed Home Depot security footage of this incident in Fairfield and observed individuals I know to be MORALES DE PAZ, DAYGER-ENRIQUE and AMPEREZ-PEREZ, based on photos of these three from other arrest reports referenced herein. Below are several photos provided to me by Home Depot loss prevention personnel of the Fairfield Home Depot theft showing MORALES DE PAZ and DAYGER-ENRIQUE checking out with cabinet boxes that were used to conceal the electrical wire and the wire unloaded into rear of the subject's van:





THE WYOMISSING, PA ARRESTS

77. On December 5, 2023, Wyomissing Police in Wyomissing, PA, arrested DAYGER-ENRIQUE, LAJUJ-SOLOMAN, AMPEREZ-PEREZ, and a fourth individual, J.A.C.P. (YOB: 1985) attempting to steal approximately 90 cases of vinyl plank flooring from the Home Depot located in Wyomissing, PA²⁹.

78. According to Home Depot Investigator E.D., the flooring recovered during this incident had a total value of approximately \$6,300. Investigator E.D. also stated that these same individuals were suspected of other similar retail theft incidents in various other Pennsylvania Home Depot locations in late November and early December of 2023, for which they were not arrested. Investigator E.D. provided me several photos from one of these incidents involving MORALES DE PAZ, DAYGER-ENRIQUE and LAJUJ-SOLOMAN stealing large amounts of

²⁹ J.A.C.P. was also arrested stealing from the Home Depot in Boston on December 9, 2022, along with DAYGER-ENRIQUE, AMPEREZ-PEREZ, and others.

flooring and other items from the Home Depot in Parkesburg, PA on November 22, 2023. Investigator E.D. also stated that, based on review of surveillance footage from the Wyomissing Home Depot, he believes that MORALES DE PAZ was also present at the Wyomissing Home Depot at the time of the December 5, 2023 incident, but eluded capture by the police.

79. At the time of their arrests in Wyomissing, this group of individuals were operating a white Ford van bearing the cancelled Rhode Island registration 1NJ846. WPD obtained a state-authorized search warrant for this van. In addition to the boxes of stolen flooring, during the search of the van, law enforcement discovered various Home Depot and other retail receipts from locations in Cranston, Johnston, Warwick, and Providence, RI.

80. On December 15, 2023, Detective Sergeant Rocco DeCamillo of the Exeter Township Police Department (ETPD) in Pennsylvania contacted me regarding another retail theft incident uncovered at the Home Depot in that jurisdiction. According to Detective DeCamillo, some of the flooring recovered by WPD was stolen on December 5, 2023, from the Home Depot located at 5410 Perkiomen Ave, Reading, PA 19606.

81. Detective DeCamillo shared a police report documenting this incident at the Home Depot in Reading, PA. According to this report, Detective DeCamillo reviewed security footage from the Reading Home Depot from December 5, 2023, and observed MORALES DE PAZ, DAYGER-ENRIQUE and LAJUJ-SOLOMAN all exit the same white Ford van and enter the Home Depot. According to the report, MORALES DE PAZ served as a lookout for DAYGER-ENRIQUE and LAJUJ-SOLOMAN as they exited the Home Depot with more than 50 cases of flooring for which they did not render payment.

82. The photos below show all three suspects at the Reading Home Depot and shows

DAYGER-ENRIQUE and LAJUJ-SOLOMAN exiting the store pushing carts containing numerous cases of flooring. Both suspects have folded documents in their mouths, as a likely ploy giving the appearance that they had paid for the merchandise. This same tactic was employed at the Home Depot theft in Warwick RI referenced herein.



MORALES DE PAZ exiting the Reading (PA) Home Depot on 12/5/23



LAJUJ-SOLOMAN and DAYGER-ENRIQUE exiting the Reading Home Depot with stolen flooring on 12/5/23

83. According to Detective DeCamillo's report, based on this incident at the Home Depot in Reading, he obtained arrest warrants from a magistrate court judge in Berks County, PA on December 20, 2023, for MORALES DE PAZ, DAYGER-ENRIQUE and LAJUJ-SOLOMAN. According to Detective DeCamillo's report, as of December 20, 2023, DAYGER-ENRIQUE and LAJUJ-SOLOMAN were detained at the Berks County Prison while MORALES DE PAZ remained at large.

THE MARLBORO, NJ ARREST

84. On April 1, 2024, I was notified by Home Depot Investigator R.S. that DAYGER-ENRIQUE was recently arrested in Marlboro, NJ, following an attempted theft from the Home Depot in that jurisdiction. According to a Home Depot report documenting this incident, DAYGER-ENRIQUE and two unknown individuals attempted to steal a refrigerator and multiple power tools concealed in a box for a vanity. Home Depot loss prevention personal attempted to stop one of the subjects as he exited the store while pushing the refrigerator on a cart. The subject

then fled across the parking lot. Home Depot provided several videos documenting this incident. I reviewed these videos and determined that the individual who attempted to steal the refrigerator and fled once confronted was LAJUJ-SOLOMAN, as seen below:



85. I contacted the Marlboro Police Department and obtained a police report documenting the arrest related to this incident. According to this report, on March 21, 2024, they arrested “Abraham Dayger Garcia” after responding to Home Depot for a report of three subjects shoplifting³⁰. Home Depot loss prevention personnel informed police that the suspects fled towards a Shop Rite grocery store nearby. Marlboro Police entered the Shop Rite, where an officer observed a male exit a bathroom. The officer then checked the garbage receptacle, where he found a sweatshirt, jacket, and hat. The officer then approached the male who exited the bathroom and asked that he come with the officer to the front of the store. Home Depot loss prevention personnel

³⁰ DAYGER-ENRIQUE provided Marlboro Police with his date of birth as being one year earlier than the date of birth he gave when arrested in Wyomissing, PA in December of 2023. However, I reviewed the photo taken of DAYGER-ENRIQUE following his arrest in Marlboro and determined that this is DAYGER-ENRIQUE, one of the Target Subjects.

then assisted in identifying DAYGER-ENRIQUE as one of the subjects involved in the attempted theft at Home Depot. Marlboro Police then arrested DAYGER-ENRIQUE for shoplifting. LAJUJ-SOLOMAN and another unidentified male eluded police following this incident.

THE SEARCH OF THE CELL PHONES

86. As previously referenced, on October 2, 2023, I received authorization to search the three cell phones seized from MORALES DE PAZ, DAYGER-ENRIQUE, and AMPEREZ-PEREZ following their arrests in Fairfield, CT. I have searched these phones and learned that all three devices contain additional evidence of the scheme to conduct large-scale retail theft.

MORALES DE PAZ CELL PHONE

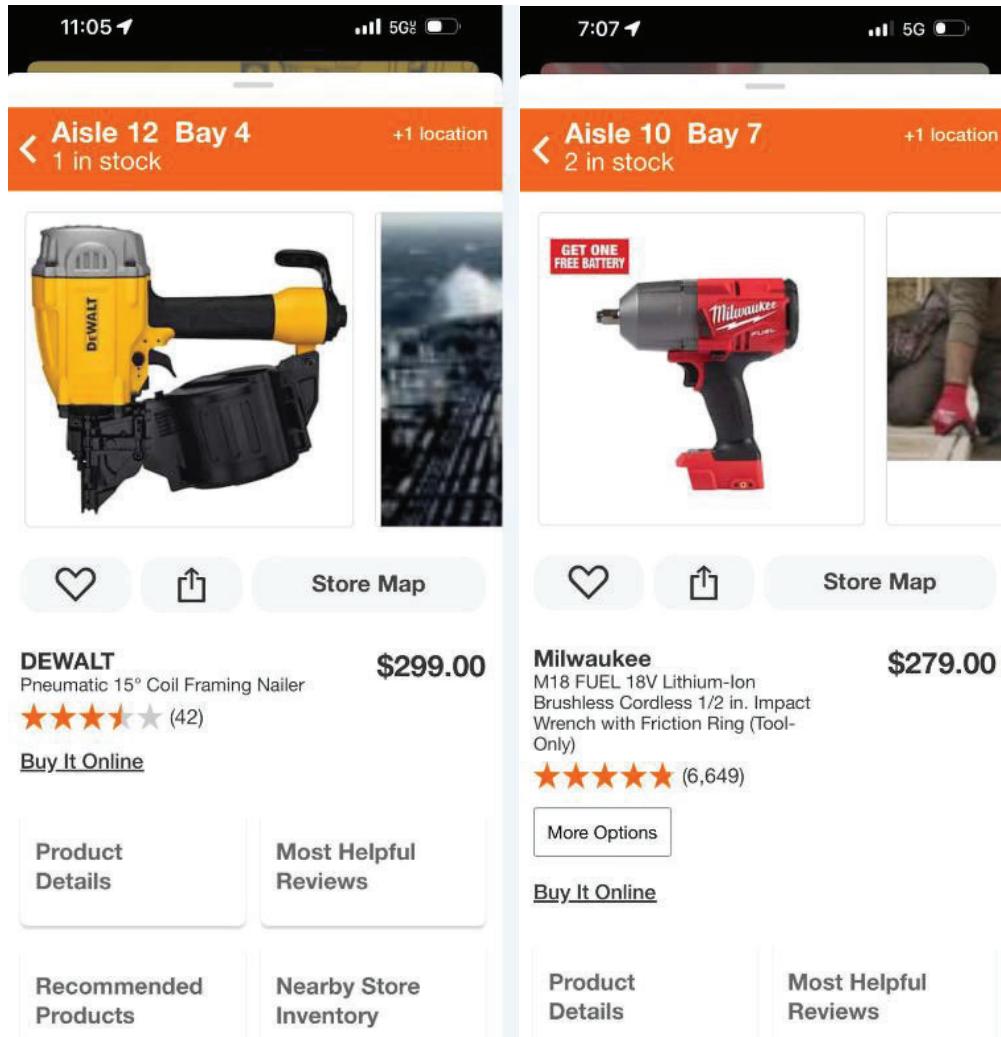
87. A review of MORALES DE PAZ's cell phone reveals that this device, a Samsung model SM-S918U1, was assigned phone number 508-933-7928 at the time of his arrest on August 28, 2023. According to T-Mobile, this phone number was subscribed to "MARVIN JUAREZ" of 79 Wallace Street, Providence, RI at the time of MORALES DE PAZ's arrest in Fairfield. I am aware from working this investigation and others that those engaged in illegal activities will sometimes use fictitious names or aliases when subscribing to cell phone or other services to avoid detection by law enforcement. However, the address 79 Wallace Street in Providence was previously provided by MORALES DE PAZ as his residence when he was arrested by Norwood Police following a Home Depot theft on January 6, 2021.

88. A review of the messages and photos stored in MORALES DE PAZ's phone reveals that he used this phone. In addition to this phone being taken from him at the time of his arrest, the phone appears to be linked to MORALES DE PAZ's Facebook account, where he received Facebook notifications on multiple occasions via text message referencing him as "Estuardo". Also contained in the phone is a screen shot of a Facebook account linked to the e-

mail account “marvinpirir945@gmail.com”. Another saved screen shot shows the creation of a Google account with the name “1234567890marvincoy”. As stated herein, “Marvin Pirir” and “Marvin Coy Pirir” are names used by MORALES DE PAZ. Also discovered stored in this phone was a photo with a modified date of August 21, 2023, showing a copy of MORALES DE PAZ’s Guatemalan identity document bearing his image, name and date of birth³¹. This cell phone also contained multiple photos of receipts for wire transfers sent from locations in Rhode Island to recipients in Guatemala. For example, a photo stored in this phone shows a receipt for the transfer of \$100 on August 25, 2023, from a Ria money exchange location in Johnston, RI to a recipient in Guatemala. This receipt lists the sender’s name as “ESTUARDO COY PIRIR” of 434 Hartford Avenue, Providence, RI, and a phone number of 603-406-3045. MORALES DE PAZ had multiple wire transfer receipts stored in his phone listing this same name, address, and phone number.

89. MORALES DE PAZ’s phone also contains evidence of his Home Depot theft activities. For example, this phone contains numerous screen-shot photos that appear to have been taken from Home Depot’s website showing different DeWalt and Milwaukee brand power tools. Each one of these screen shots lists a price, aisle location in the store, and the number of these items remaining in stock, as seen below:

³¹ This identity document lists MORALES DE PAZ’s name as “MARVIN ESTUARDO COY PIRIR” along with his known date of birth. This investigation has revealed that MORALES DE PAZ has used numerous aliases when encountered by law enforcement and immigration authorities. For example, on January 6, 2021, when arrested by Norwood Police Department, he provided the name Marvin Estuardo MORALES DE PAZ. However, when he was arrested by Seekonk Police Department, he initially used the name “Miguel Juarez” and later changed it to “Marvin Morales”. According to Department of Homeland Security records, MORALES DE PAZ used multiple different names during encounters with immigration authorities, including “MARVIN COY PIRIR”, “MARVIN MORALES DE PAZ”, and “MARVIN ESTUARDO MORALES DE PAZ”.

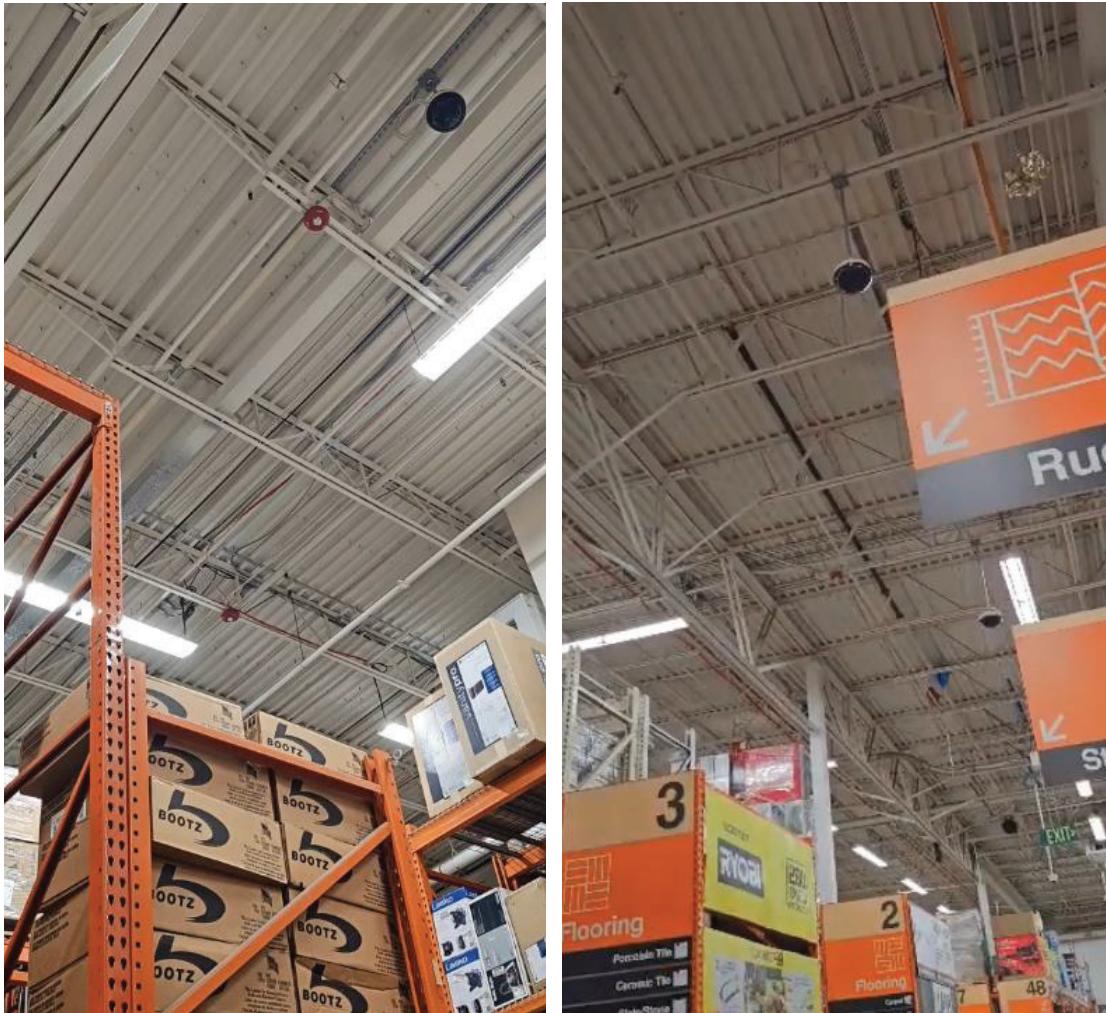


90. Also contained in MORALES DE PAZ's phone are multiple photos showing piles of boxes for DeWalt and Milwaukee brand power tools. These photos appear to have been taken inside of a residence or likely stash house location for stolen property as seen below:



91. In some cases, the screen shot photos taken from the Home Depot website closely resemble photos taken of the items inside of the residence. Based on this information, coupled with the information taken from MORALES DE PAZ's co-conspirators phones described in more detail below, I believe that MORALES DE PAZ captured screen shots of items he and his co-conspirators intended to steal, including the location in the store and the item's availability, prior to stealing these items. I am aware from working this investigation and others, that those engaged in retail theft often identify the items they intend to steal prior to entering a business to ensure that the items are available and easily located in the store.

92. Also contained in MORALES DE PAZ's phone are several videos that were taken inside of Home Depot stores. These videos are relevant because they primarily focus on the ceiling of the store(s) and clearly show locations of the store's security cameras. Metadata for these videos reveal that they were created on August 25, 2023, three days prior to MORALES DE PAZ, DAYGER-ENRIQUE, and AMPEREZ PEREZ getting arrested outside of the Fairfield, CT Home Depot while in possession of nearly \$7000 in stolen electrical wire. Below are several screen shots that I took from these videos:



93. Based on this information, I believe that MORALES DE PAZ used this cell phone to take surveillance footage of Home Depot internal security cameras in preparation for a theft operation.

94. A review of the text messages stored in MORALES DE PAZ's cell phone also reveals evidence of his interstate theft activities. Several text strings appear to show that MORALES DE PAZ sells these items that he and his co-conspirators steal from Home Depot. For example, in one text string between MORALES DE PAZ and an individual using the phone number 267-581-1274, the two appear to make plans to conduct a transaction for electrical wire. The user of 267-581-1274 is identified in MORALES DE PAZ's phone as "Cables Chino". I am

aware that the word cable or cables can be translated from Spanish to English as wire/s. In chat messages that occurred on August 25, 2023, MORALES DE PAZ and the individuals identified as Cables Chino appeared to be making preparations to meet at a location in the Philadelphia area. On this date, MORALES DE PAZ sent a message in English asking if Cables Chino was coming and the type of electrical wire he (MORALES DE PAZ) had, “are you no coming? 10/3 MC 12/2 mc”. I am aware from working this investigation and from reviewing electrical wire advertised by Home Depot that the spools of electrical wire stolen by MORALES DE PAZ and his co-conspirators are identified by the wire’s electrical gauge (10/2, 12/2, etc.), the length (measured in feet), and the initials “MC” for metal clad, or Romex for wire wrapped in a non-metallic sheath. These electrical wire dimensions and gauges are advertised on the exterior Home Depot spool packaging as seen below from the stolen wire retrieved from LAJUJ-SOLOMAN on April 24, 2023:



95. On August 25, 2023, as the chats continue between MORALES DE PAZ and Cables Chino, MORALES DE PAZ sent a text with a link to a location in the vicinity of Mansfield, NJ, near the intersection of Routes 95 and 295. MORALES DE PAZ wrote, "I'm on my way home but I left the mc with my brother at his house". Cables Chino then responded, "I come tomorrow And pick up". On the following day, MORALES DE PAZ asked Cables Chino if he was still coming to pick up the electrical wire and stated that he had another buyer who was interested, "what time do you come to pick up the 10/3 12/2 MC Are you coming or not because there is another buyer who wants 12/2 mc". Cables Chino did not respond to these text messages.

96. On August 27, 2023, the day before he was arrested in Fairfield, CT, MORALES DE PAZ sent additional text messages to other individuals regarding the sale of electrical wire.

For example, on August 27, 2023, MORALES DE PAZ wrote in Spanish to an individual identified in his phone as “Victor Don”, using the number xxx-xxx-9004, “Buenas Aun le interesa 6/3 y 10/3 Tengo ahora”. According to a Spanish language interpreter, this translates to “Hello You are still interested 6/3 and 10/3 I have now”. A web search for the phone number xxx-xxx-9004 reveals that, according to the business review site Yelp, this phone number is or was associated with a North Providence business called VJ Electric. No address was given for the business. MORALES DE PAZ then wrote to another individual in Spanish at the phone number xxx-xxx-5818, stating the following,

“Buenos días le interesa

30 12/2 \$75

10 14/3 \$80

2. 10/3 \$250

2. 10/2 \$180”

This translates to “Good morning, are you interested?” Based on what I have learned from this investigation, I believe that in this case, MORALES DE PAZ was sending this individual his prices from four different types of electrical wire that he likely stole from Home Depots or intended to steal from Home Depots. A web search of the phone number xxx-xxx-5818, reveals that this number is associated with a Blackstone, MA electrical business called A & S Electric, Inc.

97. On August 27, 2023, both of the individuals associated with these electrical businesses responded to MORALES DE PAZ expressing interest in the purchase of electrical wire. However, on August 28, 2023, MORALES DE PAZ was arrested in Fairfield, CT while in possession of stolen electrical wire, including some of the same wire, that MORALES DE PAZ offered to sell in his text messages sent on the prior day.

DAYGER-ENRIQUE CELL PHONE

98. A review of DAYGER-ENRIQUE's cell phone³² reveals that this device, a Samsung model SM-A037U, was assigned phone number (860) 867-9694 at the time of his arrest on August 28, 2023. According to T-Mobile, this phone was subscribed to "CARLOS RUIZ" of 40 Marlborough Ave, Providence, RI, at the time of DAYGER-ENRIQUE's arrest in Fairfield.

99. I believe that this phone was used by DAYGER-ENRIQUE for several reasons. As previously mentioned herein, on April 10, 2023, DAYGER-ENRIQUE was arrested by Warwick Police for a retail theft incident at Khol's. During the booking process for that arrest, DAYGER-ENRIQUE provided Warwick Police his phone number as (860) 867-9694 during the booking process, the same number of the phone seized from him following his arrest in Fairfield in August of 2023. Further, this phone contained multiple photos of wire transfer receipts documenting funds sent to recipients in Guatemala. I reviewed these receipts and observed that the sender is listed as "ABRAHAM DAIGER ENRIQUE GARCIA COY". Also contained in this phone are several text messages where the user identified himself as "Abraham" when contacting other users.

100. This cell phone also contained numerous photographs of DAYGER ENRIQUE, where he appeared to be holding up the cell phone and taking photos of himself. At least one of

³² At the time of the arrests in Fairfield, CT, FPD seized three Samsung Android cell phones (one from each of the three subjects). FPD described each of these phones only as "Android cell phone" and placed each in a property bag marked with property numbers 23-47490-1 (seized from MORALES DE PAZ), 23-47490-2 (seized from DAYGER-ENRIQUE) and 23-47490-3 (seized from AMPEREZ-PEREZ). On September 6, 2023, these three phones were transferred to FPD to the HSI office in Warwick, where the phones were removed from their property bags and plugged into a cell phone charging station located in HSI's seized property room. In removing these phones from their property bags, two of these devices, both black Samsung phones with red protective cases, became separated from their property bags (23-47490-2 and 23-47490-3). Therefore, although one of these two phones has a post it note affixed to the protective case with the name "Jhontan Perez" written on it, neither phone was initially attributed to DAYGER-ENRIQUE or AMPEREZ-PEREZ. Now that each of these two phones has been thoroughly searched, full attribution of these two phones is described herein.

these photos shows DAYGER ENRIQUE holding up a cell phone with a similar cell phone case that was on his phone at the time of his arrest in August as seen below:

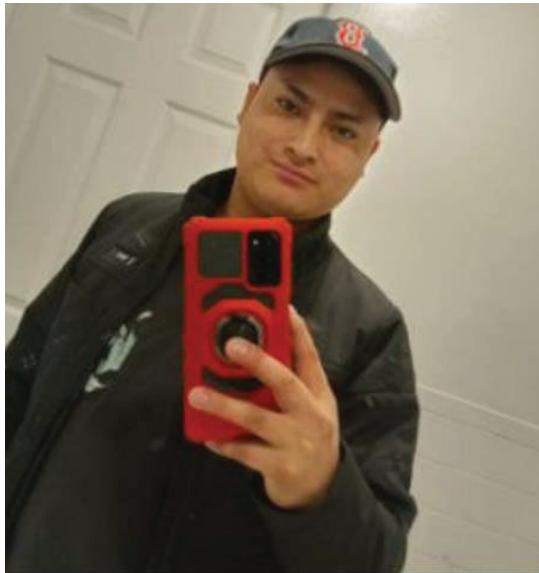


Photo of DAYGER-ENRIQUE from Cell Phone dated 6/10/2023

Cell phone seized by FPD following DAYGER-ENRIQUE's Arrest on 8/28/2023

101. A review of the photos stored in DAYGER-ENRIQUE's phone show evidence of his participation in the theft of goods from Home Depot and the resale of these items. For example, this phone contained multiple photos of power tools, many of which had written into the photos as seen below:





102. Furthermore, some of these photos had clearly visible price tags showing that the products were from Home Depot stores as seen below:

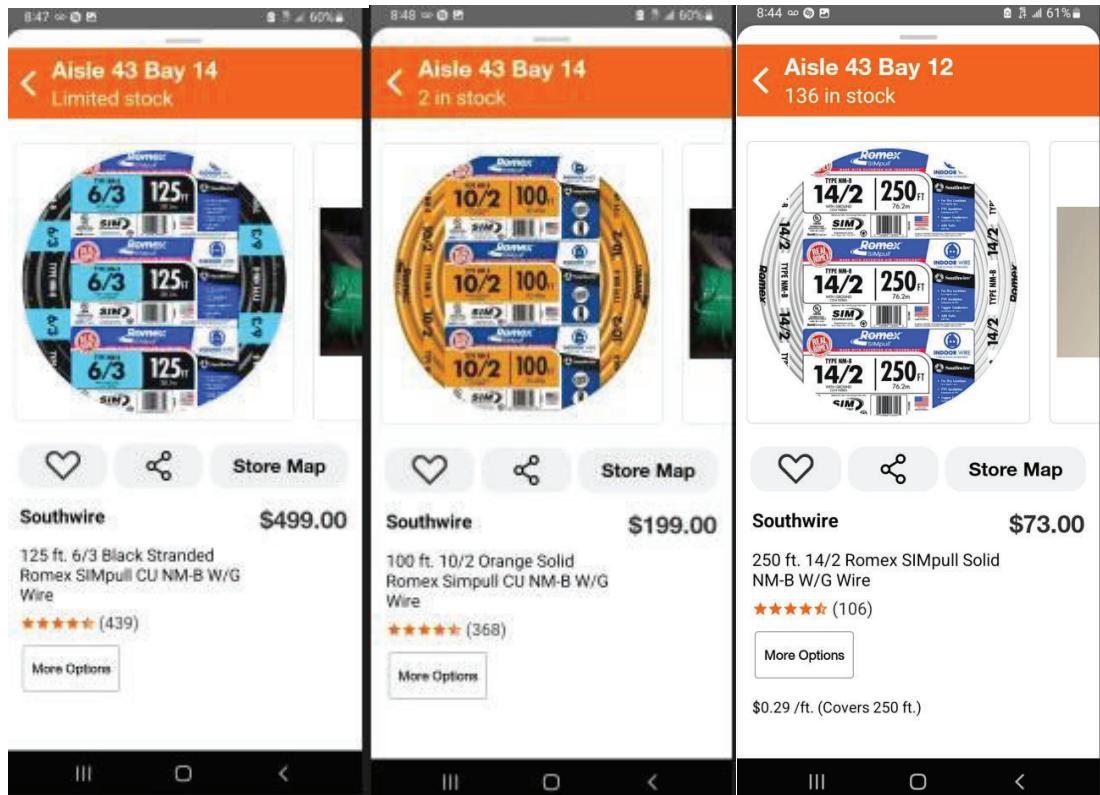


103. I shared some of these photos with Home Depot loss prevention personnel. According to Home Depot Investigator E.D., the Bosch brand measuring tool shown above was originally for sale at a Home Depot in Bronx, NY, based on the visible label. I also observed that on July 6, 2023, DAYGER-ENRIQUE sent this photo in a text message where he offered to sell this item to an individual identified as “Leonel Herramienta”, using the phone number xxx-xxxx-

6451.

104. DAYGER-ENRIQUE also took multiple photos of products inside of Home Depot stores, including Hampton Bay cabinets known to be used by this group to conceal stolen products. These photos also included DeWalt tool displays and numerous screen shots of electrical wire taken from Home Depot online applications or web pages. As described in this affidavit, DAYGER-ENRIQUE has been involved in multiple thefts from Home Depots where he participated in the theft of power tools and electrical wire. Some of these photos stored in DAYGER-ENRIQUE's phone appear below.





105. Some of the photos and at least one video stored in DAYGER-ENRIQUE's phone appear to show stashes of potential stolen Home Depot products. Some of these photos can be seen below:



106. A review of DAYGER-ENRIQUE's text messages reveal additional evidence of

his involvement in retail theft activities. For example, on May 5, 2023, DAYGER-ENRIQUE sent multiple text messages via WhatsApp to an individual identified in the phone as “Napo”, using the number 603-262-0948. These text messages contained multiple photos of what appears to be a stash location for electrical wire. DAYGER-ENRIQUE stated in one of the text messages, “Eso es lo q tiene mira”. This translates to “That’s what he has look”. On May 10, 2023, Napo sent a text message to DAYGER-ENRIQUE listing five different types of electrical wire and prices for each. According to T-Mobile, the number 603-262-0948 is subscribed to “MARVIN JUAREZ”, whose most recent subscriber information lists his address as 79 Wallace St., Providence, RI. As previously stated herein, this is the same subscriber name and address provided for MORALES DE PAZ’s other cell phone number seized at the time of his arrest in Fairfield, CT for number 508-933-7928. This is also the address MORALES DE PAZ gave as his home address to Norwood Police following his arrest in January of 2021. A review of calling records for phone number 603-262-0948 reveals that from June through August of 2023, the top number contacted by this phone was 505-577-5233. As described later in this affidavit, 505-577-5233 is a cell phone used by S.M.S.P., MORALES DE PAZ’s partner, with whom he resides at the Subject Premises³³.

107. DAYGER-ENRIQUE sent numerous text messages from May through August of 2023 to Napo with photos of various DeWalt and Milwaukee power tools. In some of these text messages, DAYGER-ENRIQUE sometimes referenced Napo as “Patricio”. In response to most of these messages, Napo provided prices. For example, on August 7, 2023, DAYGER-ENRIQUE

³³ I believe that S.M.S.P. is MORALES DE PAZ are partners because I observed videos of these two individuals together at the Subject Premises as described in more detail later in this affidavit. Furthermore, S.M.S.P.’s phone number is stored in MORALES DE PAZ’s phone under the name “Amor” with two hearts next to it, which translates from Spanish to English as love.

sent a photo of a box of a Milwaukee brand flood light and stated, “Esta tira 99 dólares en la app”³⁴. This translates to “This one costs 99 dollars in the app”. Napo responded “60”. These back-and-forth text messages continued, were DAYGER-ENRIQUE sent Napo numerous photos and listed prices from the app, in reference to the Home Depot online store application. In some cases, DAYGER-ENRIQUE also sent screen shots of products directly from the Home Depot online application, where prices of the items were listed. In all of these cases, Napo responded with prices below the asking price of these products. I believe that these text messages are in reference to the sale of the numerous items that the Target Subjects stole from Home Depot and resold, attempted to resell, or planned to resell at lower prices. Based on this information, I believe that the person using the phone number 603-262-0948 and identified in DAYGER-ENRIQUE’s phone as “Napo” is MORALES DE PAZ.

108. Napo was not the only contact who communicated with DAYGER-ENRIQUE about the sale of power tools. DAYGER-ENRIQUE exchanged numerous text messages in Spanish with multiple individuals, where he offered power tools at prices below retail value. For example, DAYGER-ENRIQUE communicated with an individual identified in his phone as “Edwin Erra”, using the phone number xxx-xxx-3301, where the two sent each other screen shot photos of various tools Edwin Erra was seeking to purchase from DAYGER-ENRIQUE at reduced prices compared to their listed value at Home Depot.

109. Lastly, I observed that on August 28, 2023, the date of the arrests in Fairfield, CT, DAYGER-ENRIQUE received a text message from MORALES DE PAZ’s number 508-933-

³⁴ All Spanish language quotes referenced herein were translated using Google translation tools along with a review and edits provided by Warwick Police Detective Christian Vargas, a native Spanish speaker.

7928³⁵ that contained the address of the Fairfield Home Depot, where they were arrested later that day.

AMPEREZ-PEREZ CELL PHONE

110. A review of AMPEREZ-PEREZ's cell phone reveals that this device, a Samsung model SM-A136U, was assigned phone number 401-545-2892 at the time of his arrest on August 28, 2023. According to T-Mobile, this phone was subscribed to "JULIO PEREZ" of 1000 Warren Ave, East Providence, RI, at the time of AMPEREZ-PEREZ's arrest in Fairfield.

111. I believe that this phone was used by AMPEREZ-PEREZ because he provided this phone number to the FPD during the booking process following his arrest in Fairfield. Also, this phone had a slip of paper inside of its protective case with the name "JhonthanPerez", along with what appears to be a username or password.

112. Further, this phone contained multiple photos of wire transfer receipts documenting funds sent to recipients in Guatemala. I reviewed these receipts and observed that the sender is listed as "JONATHAN AMPEREZ PEREZ" and "JHONATHAN JOSUE FELICIANO AMPEREZ PEREZ". Also contained in this phone are numerous photos of AMPEREZ-PEREZ where he appears to be holding the phone to take photographs of himself.

113. A review of photographs stored in AMPEREZ-PEREZ's cell phone reveal evidence of his involvement in the theft of property from Home Depots. For example, AMPEREZ-PEREZ has multiple photos of DeWalt and Milwaukee brand tools, similar to those known to have been targeted for theft by the Target Subjects. Several of these photos stored in AMPEREZ-PEREZ's phone appear below, including one tool inside of a cabinet in a similar manner used to conceal the

³⁵ This is the same phone number of the phone seized from MORALES DE PAZ at the time of his arrest in Fairfield, CT.

theft of these items from Home Depot:



114. I also observed that AMPEREZ-PEREZ had a photograph of a Cub Cadet brand ride-on lawnmower accompanied by a box for a Cub Cadet bagging attachment as seen below:



115. A closer inspection of this lawnmower reveals that it had an affixed price tag of \$3599 and a name of "S.C." handwritten on yellow tape towards the bottom of the apparatus. I then submitted a copy of this photo to Home Depot Investigator R.S. According to Home Depot records, this lawnmower and bagger were purchased by S.C. on June 21, 2023. According to Home Depot records, the lawn mower and bagger were placed aside on a cart with the customer's name to be picked up by the customer at the Home Depot in Montville, CT. On June 23, 2023, when S.C. arrived at the Home Depot in Montville to retrieve these items, they could not be located by Home Depot personnel. Home Depot provided a copy of S.C.'s online order showing that he

paid \$4,478 for the lawnmower and bagger³⁶. I am aware from reviewing the photo of this lawnmower and bagger from AMPEREZ-PEREZ's phone that this photo was taken in the yard of the Subject Premises. I have physically observed the subject premises and have observed photos of the Subject Premises that are available online. Based on these observations, these items were located in the side yard of the Subject Premises as seen below:



Photo of stolen lawnmower and bagger
in yard of Subject Premises

Photo of yard of Subject Premises taken
from the real estate website Zillow

116. I then reviewed AMPEREZ-PEREZ text messages and discovered that he received this photo through a text message on June 23, 2023, at approximately 12:27 PM from an individual identified in this phone as "M", using the phone number 603-262-0948³⁷. As previously stated

³⁶ Home Depot gave S.C. a partial refund for this purchase. According to Home Depot, when S.C. arrived to pick up the two items, that store location had another lawn mower to replace the one that was missing but no more additional baggers in stock.

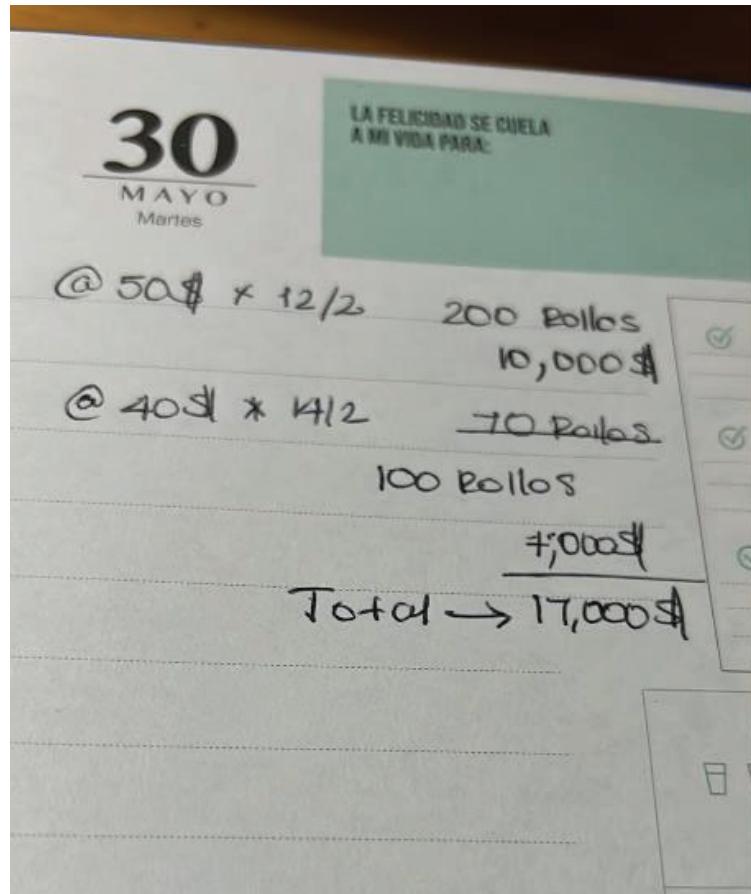
³⁷ Based on the content of the text messages between AMPEREZ-PEREZ and "M", I believe that M is MORALES DE PAZ. In the WhatsApp text string, AMPEREZ-PEREZ asked M for prices of various power tools and the two discuss a news article documenting the December 2022 ar-

herein, DAYGER-ENRIQUE had this same number stored in his phone under the name “Napo”. There was no text accompanying this text message. On that same day, at approximately this same time (12:27-12:28 PM), AMPEREZ PEREZ sent this same photo to an individual identified as “HCA”, using the number xxx-xxx-3319. AMPEREZ-PEREZ stated, “Amigo dígale a su jefe q si no quiere una maquina para cortar grama Dígale q 3200”. This translates to, “Friend, tell/ask your boss if he wants a grass cutting machine, tell him that 3200”.

117. Based on this information, I believe that AMPEREZ-PEREZ conspired with MORALES DE PAZ and others to sell property that was stolen from Home Depot in Connecticut and transported to the Subject Premises in Cranston, Rhode Island.

118. AMPEREZ-PEREZ’s phone contains additional text messages that reveal that he is engaged in the sale of stolen property. For example, in one text string, AMPEREZ-PEREZ exchanges numerous text messages and voice messages in Spanish with an individual identified as “Tedy Florida” using the number WhatsApp number 50496087855. In this chat string, Tedy Florida seeks electrical wire from AMPEREZ-PEREZ. For example, on May 30, 2023, Tedy Florida sent a text message containing a photograph of various calculations for different types of electrical wire, as seen below:

rests of AMPEREZ-PEREZ and five others at the Home Depot in Boston, MA, following an attempted larceny of electrical wire. Furthermore, when another unidentified individual, using the WhatsApp number xxxxxxx5031 asked AMPEREZ PEREZ for Marvin’s number, AMPEREZ-PEREZ sent M’s number of 603-262-0948.



119. These calculations are for rolls of 12/2 and 14/2 gauge electrical wire listed at the price of \$50 and \$40 respectively. The discussions continue where the two parties negotiate prices of electrical wire. For example, on June 23, 2023, Tedy Florida asked, “Tiene 12/2?”, which translates to “Do you have 12/2?” in reference to the 12/2 gauge electrical wire. In response, AMPEREZ-PEREZ stated, “A 90 cade uno”, which translates to “At 90 each”, or \$90 per roll of wire.

120. AMPEREZ-PEREZ likely earns cash from the sale of some of the items stolen from Home Depot. AMPEREZ-PEREZ’s phone contains photos and videos of large amounts of currency that he sends to other unknown parties via text messages. Several of these images of currency from AMPEREZ-PEREZ’s phone appear below:



121. Lastly, AMPEREZ-PEREZ had the phone number 505-577-5233 stored in his phone under the name “Sheny”. T-Mobile records list the subscriber of this phone number as “MELVIN JUAREZ” of 79 Wallace St., Providence, RI. Although this phone has the same subscriber information as MORALES DE PAZ, I believe that this phone was used by S.M.S.P.³⁸, MORALES DE PAZ’s partner. This belief is based on the fact that S.M.S.P. provided his as her phone number to Bank of America as described in more detail below.

122. On February 18, 2023, AMPEREZ-PEREZ sent Sheny a WhatsApp³⁹ text message containing the geographic coordinates of (44.103642, -69.131630). This is the approximate location of the Knox County Sheriff’s Office in Rockland, ME. As previously stated herein, on

³⁸ Department of Homeland Security records reveal that S.M.S.P., a citizen of Guatemala, unlawfully entered the United States on July 16, 2019. A review of a photograph taken of S.M.S.P. at the time of her entry into the United States appears to be the same individual who appears in the photos stored in MORALES DE PAZ’s cell phone.

³⁹ S.M.S.P.’s WhatsApp profile photo was that of the New York City skyline. The same photo is also stored in MORALES DE PAZ’s cell phone.

this same date, Rockland Police and the USBP arrested six Guatemalan nationals during an attempted theft of electrical wire from a Home Depot in Rockland. The group was detained at the Knox County Sheriff's Office following this arrest. This group was driving the same van occupied by LAJUJ-SOLOMAN on April 24, 2023, when he was arrested by Johnston Police. At least one of the individuals arrested in Rockland, A.P., was previously arrested at the Boston Home Depot along with several of the Target Subjects in December of 2022. In response to this text message, Sheny wrote several messages to AMPEREZ-PEREZ, including, "Están en migración No se puede hacer nada". This translates to "They are in immigration Can't do anything". On May 23, 2023, Sheny sent AMPEREZ-PEREZ a text message via WhatsApp with a copy of her energy bill for the Subject Premises from Rhode Island Energy. This bill was in the name of S.M.S⁴⁰. On June 19, 2023, Sheny sent several text messages containing photos of multiple individuals, including photos of S.M.S.P. with AMPEREZ-PEREZ, DAYGER-ENRIQUE, LAJUJ-SOLOMAN, and others.

BANK ACCOUNTS

123. As part of this investigation, I requested banking records associated with the Target Subjects. Although I was unable to locate banking records for MORALES DE PAZ, DAYGER-ENRIQUE, LAJUJ-SOLOMAN, or AMPEREZ-PEREZ, I did locate Bank of America accounts for S.M.S.P. As previously stated herein, S.M.S.P. resides at the Subject Premises and is MORALES DE PAZ partner. According to Bank of America records, S.M.S.P. opened the following two primary accounts:

xxxx xxxx 0932 (Checking)

xxxx xxxx 5225 (Savings)

⁴⁰ This bill did not list S.M.S.P.'s second last name (P).

According to Bank of America, when filling out a bank credit application received by the bank in October of 2023, S.M.S.P. provided her home address as the Subject Premises. S.M.S.P. also stated that she was a Citizen of Guatemala and a “Resident Alien” of the United States. S.M.S.P. stated that she was an “Executive” and provided her annual income as \$150,000. S.M.S.P. also provided her phone number as 505-577-5233. This is the same number stored in MORALES DE PAZ’s phone under the name “Amor”, and in AMPEREZ-PEREZ’s phone as “Sheny”. I am also aware that 505-577-5233 is S.M.S.P.’s phone number because I reviewed Department of Homeland Security records and observed that on April 19, 2023, she provided this number when importing a mail parcel from Colombia that was destined for the Subject Premises.

124. A review of these accounts reveals that S.M.S.P. appears to work or worked for a McDonald’s restaurant, and regularly deposited checks made out to her from an entity named “Sellia Group” of Spencer, MA and drawn from Cornerstone Bank. These checks contain the “Golden Arches” symbol I know to be associated with McDonald’s restaurants. I conducted a web search of the Sellia Group and discovered that this entity does business as McDonald’s and observed a newspaper article mentioning this entity as the operator of multiple McDonald’s restaurants in Massachusetts⁴¹.

125. In addition to the regular deposits of suspected income from employment at McDonald’s, S.M.S.P. had cash deposits into both her checking and savings accounts totaling more than \$246,000 from June of 2022 through September of 2023. The graph below shows these deposits into both accounts:

Cash Deposits into S.M.S.P. Bank of America Accounts

⁴¹ <https://www.telegram.com/story/business/names-faces/2015/05/31/vincent-spadea-owner-operator-sellia/34430763007/>

Date	Amount	Account
06/08/2022	\$300	Ending in 0932
06/27/2022	\$1,700	Ending in 0932
07/18/2022	\$4,500	Ending in 0932
07/27/2022	\$16,000	Ending in 0932
09/01/2022	\$10,000	Ending in 0932
11/07/2022	\$20,000	Ending in 5255
11/22/2022	\$20,000	Ending in 5255
11/29/2022	\$15,000	Ending in 0932
12/12/2022	\$50,000	Ending in 5255
01/03/2023	\$4,200	Ending in 0932
01/04/2023	\$20,000	Ending in 5255
01/19/2023	\$2,000	Ending in 0932
02/10/2023	\$25,000	Ending in 5255
02/15/2023	\$25,100	Ending in 5255
02/16/2022	\$4,000	Ending in 5255
03/29/2023	\$3,000	Ending in 0932
05/01/2023	\$3,250	Ending in 0932
05/15/2023	\$8,000	Ending in 0932
05/18/2023	\$3,000	Ending in 5255
07/03/2023	\$5,950	Ending in 5255
07/31/2023	\$2,250	Ending in 5255
09/05/2023	\$3,250	Ending in 5255

Total	\$246,500	
--------------	------------------	--

126. A review of S.M.S.P.'s accounts also reveals that during approximately the same time period, S.M.S.P.'s two accounts also received more than \$50,000 in Zelle⁴² and Bank of America mobile deposits. Some of these deposits have names or partial names associated with them. I recognize some of these names as being associated with this investigation. For example, S.M.S.P.'s account ending in 0932 received approximately \$5,000 in Zelle transfers from an individual using the name K.M.P. I am aware that on April 24, 2023, when Johnston Police arrested LAJUJ-SOLOMAN, he was in a van with an individual identified by this name and others along with more than \$25,000 in stolen electrical wire. This same account also received more than \$14,000 from an individual or individuals identified by the name J.C.P. and J.C. As previously stated herein, on December 9, 2022, Boston Police arrested J.C.P.⁴³ along with DAYGER-ENRIQUE, AMPEREZ-PEREZ and others for stealing electrical wire from Home Depot. On December 5, 2023, Wyomissing, PA police again arrested J.C.P. along with DAYGER-ENRIQUE, AMPEREZ-PEREZ and others stealing flooring from Home Depot in that jurisdiction.

127. A review of withdrawals from S.M.S.P.'s accounts reveals that in addition to transfers between accounts, purchases, and Zelle transfers, on February 17, 2023, S.M.S.P. wrote a cashier's check in the amount of \$171,965.16 to a business named M.B.A., LTD. An online

⁴² Zelle is a United States-based digital payments network owned by Early Warning Services, a private financial services company. The Zelle service enables individuals to electronically transfer money from their bank account to another registered user's bank account (within the United States) using a mobile device or the website of a participating banking institution.

⁴³ The Boston Police arrest report lists this individual as J.P., while the Wyomissing Police report lists this individual as J.C.P. However, according to the National Criminal Information Center (NCIC) records, this is the same individual who was arrested and booked under the same FBI# in both locations.

search for this business reveals that this is a real estate attorney located in Cranston, RI. According to public records from the city of Cranston, S.M.S.P. purchased the Subject Premises on February 17, 2023, the same day she wrote this check.

128. Based on the information described here, I believe that S.M.S.P. used her Bank of America accounts to receive proceeds from the sale of stolen property that the Target Subjects and their co-conspirators stole from Home Depots in multiple states. S.M.S.P. then used these proceeds to purchase the Subject Premises.

The Subject Premises

129. As described above, the Subject Premises was purchased by S.M.S.P. on February 17, 2023. Based on this investigation, I believe that the Subject Premises was and continues to be used to store stolen property and other evidence of the Target Offenses.

130. Photos and text messages uncovered from the seized cell phones described herein reveal that MORALES DE PAZ likely resides at the Subject Premises. The investigation has also uncovered that DAYGER-ENRIQUE, LUJUJ-SOLOMAN and other co-conspirators also spend time at the Subject Premises and this residence likely contains stolen property.

131. For example, MORALES DE PAZ's cell phone was used to send two separate text messages on August 11, 2023, seeking a land surveying service for the Subject Premises. These text messages appeared in English as, "Good afternoon, do you measure land? I need you to do a job for me to measure a piece of land. This is the address. 35 hines farm Road cranston Rhode Island". These messages were sent to "Peter" at xxx-xxx-4864. A web search for this phone number reveals that it is listed as the number for P.C., a land surveyor based in Cranston, RI.

132. Also, a screen-shot photo was stored in this phone on August 18, 2023, documenting a purchase of tickets to a business called "EDGE" that showed that the tickets were

purchased by S.S.⁴⁴ of the Subject Premises. Through a web search, I discovered that “Edge” is an observation deck located at the top of a building in New York City. MORALES DE PAZ’s cell phone contained multiple photos and videos taken at the Edge. Some of these photos are of S.M.S.P., who resides at the Subject Premises.

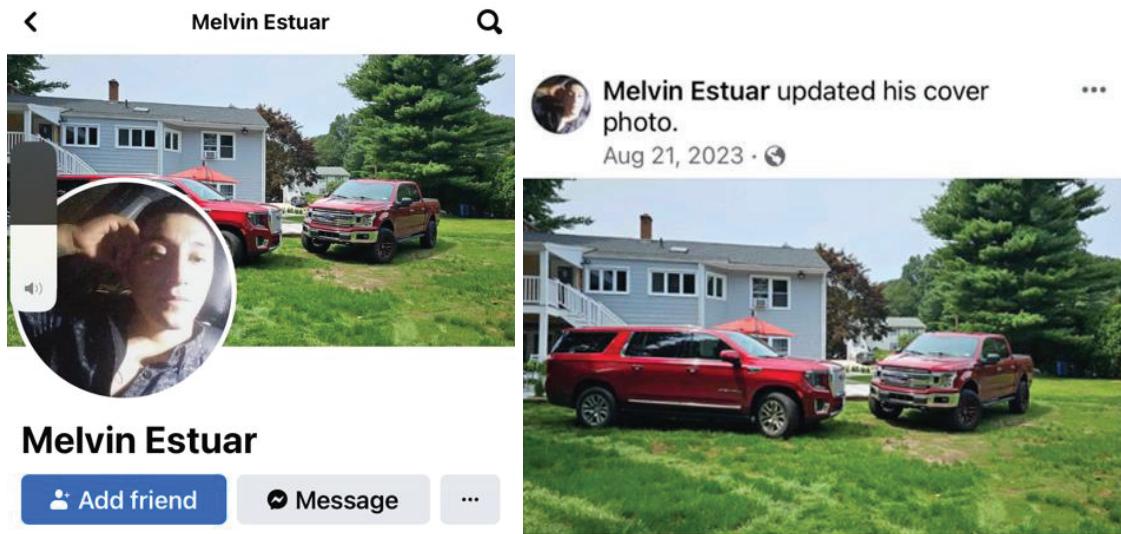
133. I also observed several photos taken on the property of the Subject Premises. For example, in one photograph stored in MORALES DE PAZ’s phone there appears two red-colored vehicles parked in the rear of the property, a GMC Yukon Denali and Ford F-150, as seen below:



134. I am aware that this is the Subject Premises because I compared this photo to multiple photos of the rear of the property available online discovered on real estate websites for the Subject Premises. This photo from MORALES DE PAZ’s phone had a date of August 21, 2023. I also observed that MORALES DE PAZ posted this same photo on August 21, 2023, on his publicly available Facebook page as seen below⁴⁵:

⁴⁴ This ticket receipt only reflected S.M.S.P.’s first name and one of her two last names.

⁴⁵ S.M.S.P. also has a photo of herself posing next to what appears to be this same GMC Yukon on her Facebook page dated September 26, 2023.



I also physically observed both of these vehicles parked in the driveway of the Subject Premises on multiple occasions, including most recently on January 2, 2024⁴⁶. On March 26, 2024, I observed this red Ford F-150 parked in the driveway of the Subject Premises. I also observed an orange-colored Home Depot 5-gallon bucket on the property located near the driveway and visible from the street. On April 2, 2024, I again observed the Ford F-150 parked in the driveway of the Subject Premises. This truck bore the RI license plate 1BI821⁴⁷. According to surveillance footage from Home Depot in Smithfield, RI on this same date (4/2/24), this same truck was also observed being operated by MORALES DE PAZ and LAJUJ-SOLOMAN as they stole a large amount of vinyl flooring from that location as seen in the images below of MORALES DE PAZ, LAJUJ-SOLOMAN, and MORALES DE PAZ's red Ford F-150 truck:

⁴⁶ Note: On January 2, 2024, the Rhode Island license plate affixed to the Ford truck (1BI821) did not match make and model of the vehicle. No plate was visible on the GMC Yukon at that time.

⁴⁷ As previously stated, this license plate does not match this vehicle and is registered to a person unknown to this investigation.



135. While reviewing AMPEREZ-PEREZ's cell phone, I observed a video with a modified date of July 23, 2023, showing MORALES DE PAZ presenting this red GMC Yukon Denali to S.M.S.P. in the backyard of the Subject Premises⁴⁸. This video was taken at what appears to be a party, where MORALES DE PAZ removed a blindfold from S.M.S.P. and surprised her with this vehicle. The photos below were taken from this video:

⁴⁸ According to Rhode Island Division of Motor Vehicles, S.M.S.P. has a 2023 Yukon Denali registered to her bearing RI registration 1TM995. This registration lists S.M.S.P.'s residence as the Subject Premises.



136. In addition to the stolen lawnmower previously mentioned in this affidavit that was photographed on the property of the Subject Premises, there were other photographs of the Subject Premises where suspected stolen property appeared. For example, a photo discovered in the cell phone seized from DAYGER-ENRIQUE appears to show MORALES DE PAZ and others unloading merchandise from a white van, similar to those used to pick up stolen products from various Home Depots in this investigation. This photo, which had modified date of June 19, 2023, appears below:



137. According to Rhode Island Energy, S.M.S.⁴⁹ has a current account at the Subject Premises and has received service at the residence since February 23, 2023. S.M.S.P. provided her cell phone number as 505-577-5233, the same number referenced herein that communicated with MORALES DE PAZ, DAYGER-ENRIQUE and AMPEREZ-PEREZ.

138. In summary, the Target Subjects have engaged in large-scale retail theft across several states where they have stolen or attempted to steal merchandise mainly from Home Depot valued at more than \$230,000. After multiple state arrests in Rhode Island, Massachusetts, Connecticut, Pennsylvania, and New Jersey, the Target Subjects have continued to engage in this illegal activity.

139. I therefore submit that there is probable cause to believe that: (1) From on or about July of 2019 through on or about April of 2024, in the District of Rhode Island and elsewhere, defendants MARVIN ESTUARDO MORALES DE PAZ, ABRAHAM DAYGER-ENRIQUE, SEBASTIAN LAJUJ-SOLOMAN, and JONATHAN JOSUE AMPEREZ-PEREZ did knowingly conduct a consistent pattern of retail theft across various states, in violation 18 U.S.C. § 2314, (interstate transportation of stolen goods), and 18 U.S.C. § 371 (conspiracy to commit

⁴⁹ Rhode Island Energy did not list S.M.S.P.'s second last name.

interstate transportation of stolen property).

Respectfully submitted,



BRENDAN CULLEN
Special Agent
Homeland Security Investigations

Attested to by the applicant in accordance with the requirements of Fed.
R. Crim. P. 4.1 by Sworn telephonically and signed electronically

(specify reliable electronic means)

April 9, 2024

Date

Judge's signature

Providence, Rhode Island

City and State

Patricia A. Sullivan, USMJ

Magistrate Judge Patricia A. Sullivan

UNITED STATES DISTRICT COURT

for the

District of Rhode Island

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

)}

Case No. 23-SW-248

Three black cell phones seized by Fairfield, CT
Police Department

)}

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A.

located in the _____ District of _____ Rhode Island _____, there is now concealed (identify the person or describe the property to be seized):

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
18 U.S.C. § 2314
18 U.S.C. § 371

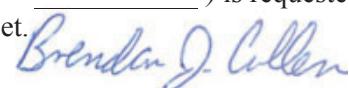
Offense Description
interstate transportation of stolen goods
conspiracy to commit interstate transportation of stolen property

The application is based on these facts:

See the attached Affidavit of Special Agent Brendan Cullen with Homeland Security Investigations ("HSI")

Continued on the attached sheet.

Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



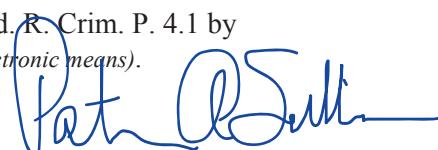
Applicant's signature

Special Agent Brendan Cullen - HSI

Printed name and title

Sworn telephonically and signed electronically

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
telephone _____ (specify reliable electronic means).



Judge's signature

Date: October 2, 2023

City and state: Providence, Rhode Island

Patricia A. Sullivan, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT OF SPECIAL AGENT BRENDAN CULLEN IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Brendan Cullen, state:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Department of Homeland Security (DHS) United States Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI) assigned to the Providence Field Office. I have been employed by HSI and its predecessor, the U.S. Customs Service since January of 2003. In connection with my official duties, I have investigated and assisted other agents in investigating numerous cases involving a wide variety of criminal violations including, but not limited to, narcotics trafficking, money laundering, illegal importation of goods, fraud, intellectual property rights, and interstate transportation of stolen property investigations.

2. The information contained in this affidavit is based on witness interviews, conversations with investigators from multiple agencies/departments involved in this investigation, my personal knowledge and observations during the course of this investigation, my personal training and experience as a criminal investigator, and the review of records, documents and other evidence obtained during this investigation. Because this affidavit is submitted for the limited purpose of establishing probable cause for the requested search warrant, I have not included each and every fact known to me concerning this investigation. Rather, I have set forth only those facts that I believe are necessary to establish probable cause to support the warrants requested herein.

3. I am currently investigating several known and unknown individuals (hereinafter referred to as the “Target Subjects”) for violations of various federal statutes, including 18 U.S.C. § 2314, (interstate transportation of stolen goods), and 18 U.S.C. § 371 (conspiracy to commit

interstate transportation of stolen property) (collectively, the “Target Offenses”).

PURPOSE OF AFFIDAVIT

4. I submit this affidavit in support of an application for a warrant pursuant to 18 U.S.C. § 2703(a) and Rule 41 of the Federal Rules of Criminal Procedure to search and seize records and data from the following devices:

- Samsung cell phone with a black backing and black protective case, bearing Fairfield Police Department (FPD) property #23-47490-1 (model and serial number unknown);
- Samsung cell phone with a black backing and red protective case, (model and serial number unknown)¹; and
- Samsung cell phone with a black backing and red and clear protective case, (model and serial number unknown)

(Hereinafter, the “Target Devices”) as described further in Attachment A. The Target Devices are currently located at the HSI field office in Warwick, RI

5. I have probable cause to believe that the Target Devices contain evidence, fruits,

¹ At the time of the arrests in Fairfield, CT, FPD seized three Samsung Android cell phones (one from each of the three subjects). FPD described each of these phones only as “Android cell phone” and placed each in a property bag marked with property numbers 23-47490-1 (seized from MORALES DE PAZ), 23-47490-2 (seized from DAYGER-ENRIQUE) and 23-47490-3 (seized from AMPEREZ-PEREZ). On September 6, 2023, HSI Special Agent Nicholas Conforti retrieved these phones from FPD and transported them to the HSI office in Warwick, where the phones were removed from their property bags and plugged into a cell phone charging station located in HSI’s seized property room. In removing these phones from their property bags, two of these devices, both black Samsung phones with red protective cases, became separated from their property bags (23-47490-2 and 23-47490-3). Therefore, although one of these two phones has a post it note affixed to the protective case with the name “Jhonthan Perez” written on it, for the purpose of this affidavit, I will not attribute a property number or subject name to either of these two phones until further information is developed from which subject these phones were seized.

and instrumentalities of the Target Offenses, as described in Attachment B.

6. The facts in this affidavit come from my personal observations and review of records, my training and experience, information obtained from Fairfield (CT) police officers and Home Depot loss prevention personnel. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE TO BELIEVE THAT FEDERAL CRIMES WERE COMMITTED

7. This affidavit is being submitted to search the Target Devices, seized on August 28, 2023, by police officers in Fairfield, Connecticut, and transferred to HSI in Rhode Island on September 6, 2023. In this case, officers assigned FPD arrested three individuals engaged in the theft of electrical wire from a Home Depot retail store located at 541 Kings Highway in Fairfield. At the time of these arrests, two of the three subjects had outstanding state of Rhode Island arrest warrants related to similar retail theft incidents that occurred in March and April at the Home Depot located in Johnston, Rhode Island.

8. As described in more detail below, on August 28, 2023, the Target Devices were seized from the following three individuals who were actively involved in the theft of copper electrical wire from the Fairfield Home Depot:

- Marvin Estuardo MORALES DE PAZ, age 33, is a citizen of Guatemala who resides in Providence, RI;
- Abraham DAYGER-ENRIQUE², age 24, is a citizen of Guatemala who resides in Providence, RI;

² Criminal history record checks for MORALES DE PAZ and DAYGER-ENRIQUE show several alias names. For the purpose of this affidavit, both will be referenced as MORALES DE PAZ and DAYGER-ENRIQUE.

- Jonathan Josue AMPEREZ-PEREZ, age 31, is a citizen of Guatemala who resides in Providence, RI.

9. MORALES DE PAZ and DAYGER-ENRIQUE were previously arrested for retail thefts in Rhode Island and Massachusetts and, at the time of their most recent arrests in Fairfield, had active state arrest warrants for previous thefts at the Johnston, RI Home Depot described in more detail below. Criminal history record checks reveal that AMPEREZ-PEREZ has at least two previous arrests in Massachusetts for receiving stolen property and shoplifting. Based on my conversations with Home Depot loss prevention personnel, police officers in Johnston, Seekonk, Warwick, Fairfield and other jurisdictions and review of Home Depot security footage from several locations, I believe that these three individuals and other Target Subjects are part of a large-scale retail theft operation, mainly targeting Home Depot and possibly other home improvement and retail stores in multiple states.

10. In this case, the individuals referenced here are Guatemalan nationals residing in Rhode Island, who have participated in a scheme to defraud Home Depot by purchasing large-ticket items using cash and concealing spools of electrical wire within the boxes of these items. This investigation has identified incidents where members of this group have stolen goods from Home Depots in Boston, MA, Warwick, RI, Johnston, RI, Fairfield, CT and elsewhere. The members of this group have stolen power tools, outdoor power equipment and other high-value items. However, in the instances referenced here, the group has mainly participated in the large-scale theft of spools of electrical wire. This wire is sold under various brand names and lengths. The wire is most commonly used to wire residential or commercial construction projects and can be run behind walls to connect various outlets and switches. Although the wire spools sold by Home Depot vary significantly in price, the wire stolen in the cases referenced herein commonly

sell for at least \$80 per spool.

THE BOSTON ARRESTS

11. As part of my investigation, I have learned that on December 9, 2022, officers from Boston Police Department (BPD) arrested six individuals at the Home Depot located at 1213 VFW Parkway in West Roxbury (Boston) for their participation in a retail theft incident. According to the police report documenting this incident, on December 9, 2022, Home Depot Asset Protection Officer C.G. contacted BPD regarding a group of males who were captured on CCTV footage the day before stealing approximately 120 spools of electrical wire. According to C.G., these males entered the store on December 8, 2022, and loaded up a Home Depot bathtub box with the wire spools and checked out at the cashier where they only paid \$339 for the bathtub. C.G. estimated that they group stole approximately \$17,989 in electrical wire.

12. On December 9, 2022, while BPD were at the Home Depot, C.G. explained to BPD that these males were back in the store again and observed them on CCTV loading up two kitchen cabinets with electrical wire. BPD Officers approached a white van parked outside of Home Depot occupied by two Hispanic males. BPD observed that the passenger of this van was one of the same individuals observed on CCTV footage stealing electrical wire from the previous day. This individual was placed into custody and identified as Jose PIRAR (YOB: 1985). A second male in the van was also detained and identified as DAYGER-ENRIQUE.

13. BPD Officers discovered that there were four additional males inside of the Home Depot who finished loading up the electrical wire concealed inside of the cabinets and boxes. Additional BPD Officers were called to assist. According to the BPD report, the four suspects inside of the store abandoned their carts full of merchandise and exited out different doors of the store, where they were met by BPD officers and arrested. The report states that the abandoned

items totaled more than \$15,500. The four additional suspects were identified as Abner PEREZ (YOB: 1993), Franklin SALAS (YOB: 1997), Miguel PEREZ (YOB: 1986), and AMPEREZ-PEREZ. All six suspects are Guatemalan nationals who reside in Providence, RI.

14. Following the arrests of these six individuals, BPD found a receipt for the bathtub purchased the day before and used to conceal the 120 spools of stolen electrical wire. There were also receipts from other Home Depots in Mansfield, South Attleboro and Manchester, New Hampshire.

15. Following their arrests, all six suspects were released on cash bail posted by Rosa VEGA (YOB: 1970) of Providence. A condition for their release was to stay away from all Home Depot stores, according to paperwork I reviewed from the West Roxbury District Court dated December 9, 2022.

THE WARWICK ARRESTS

16. I have discussed this case with Warwick Police Department (WPD) Detective Matthew Smith and discovered that WPD recorded several incidents in April of 2023, where known members of this group, including DAYGER-ENRIQUE, conducted retail theft operations in Warwick.

17. Detective Smith provided me police reports documenting these incidents. The first of these retail theft incidents occurred on April 8, 2023, at the Home Depot located at 80 Universal Blvd. in Warwick. According to the associated Warwick Police report, on April 19, 2023, Organized Retail Crime Investigator R.S. reported to WPD that she discovered the theft of approximately \$25,896 in electrical wire from an incident that occurred on April 8, 2023. R.S. reported that on April 8, 2023, two subjects she knows to be DAYGER-ENRIQUE and Miguel PEREZ entered the Warwick Home Depot and filled a large cabinet box and hot water heater

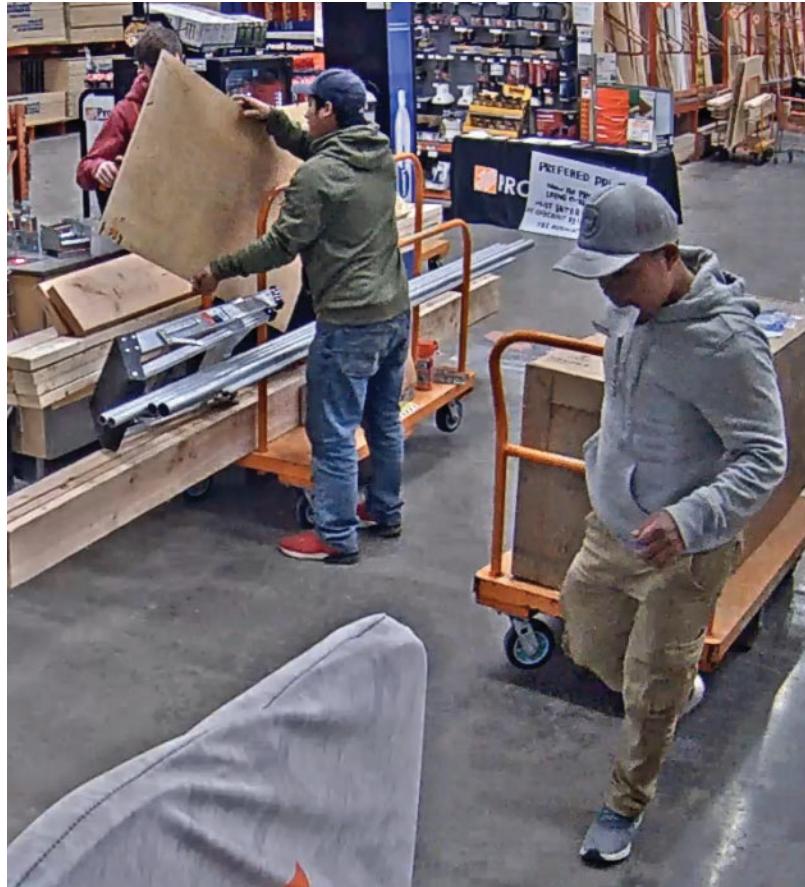
box with spools of electrical wire. The subjects removed the hot water heater from its box and left it on an aisle in the store. The two subjects then filled the two boxes with spools of electrical wire and retaped the boxes shut. DAYGER-ENRIQUE paid for the cabinet while PEREZ wheeled his cart containing the hot water heater box believed to have been filled with electrical wire past the Home Depot cashier without paying as seen below:



18. DAYGER-ENRIQUE then departed the store with the cabinet box containing the electrical wire without paying for the wire as seen below:



19. I reviewed several surveillance videos of this incident and observed that DAYGER-ENRIQUE and Miguel PEREZ exit the store, unload the merchandise into parked vans and return inside a second time. During this second trip into the store, DAYGER-ENRIQUE purchases lumber and other products and appears to shield the view of the Home Depot cashier as Miguel PEREZ again wheels out the cart containing the hot water heater box believed to contain electrical wire spools without paying as seen below:



20. The WPD report states that there were no operational cameras in the area of the electrical wire display inside of Home Depot at the time of the theft. However, R.S. provided WPD with pre-theft and post-theft inventory tracking for the items stolen and determined that DAYGER-ENRIQUE and Miguel PEREZ stole 184 rolls of electrical wire. R.S. also reported that the lock securing the wire display in the aisle was found cut and lying on the floor.

21. The second of these retail theft incidents occurred on April 10, 2023, when WPD arrested Sebastian LAJUJ SOLOMAN and DAYGER-ENRIQUE for retail theft of the Khol's located at 650 Bald Hill Road in Warwick.

22. According to a WPD police report, on April 10, 2023, WPD responded to a shoplifting incident in progress at Kohl's. Kohl's loss prevention employees identified two males who placed a large amount of merchandise into several pieces of luggage and walked out of the

store without paying for these items and additional items that they were carrying. The Kohl's employees stated that the males entered a white van that departed the parking lot area. WPD then observed this van and conducted traffic stop on the vehicle, which bore a temporary Tennessee registration of QDWNKNN. According to the WPD report, after this van stopped for police, a male in the passenger seat opened the door and fled on foot. This individual, later identified as LAJUJ SOLOMAN, was apprehended a short time later by WPD and taken into custody. A second individual identified by Kohl's loss prevention employees was also present in the van and placed under arrest by WPD. This individual was identified in the report as DAYGER-ENRIQUE. There were three additional males in the van at the time of this incident. These individuals were identified and released³.

23. WPD recovered the items stolen from Kohl's and returned the merchandise to Kohl's employees. According to Kohl's loss prevention officers, the items stolen by LAJUJ SOLOMAN and DAYGER-ENRIQUE totaled more than \$3,900. At the time of their arrests, DAYGER-ENRIQUE and LAJUJ SOLOMAN listed home addresses in Providence, RI.

THE JOHNSTON ARRESTS

24. On May 10, 2023, I spoke with JPD Detective Derek Parascandolo, who informed me that his department obtained state arrest warrants for three Guatemalan nationals following two large-scale retail theft incidents reported to them by Home Depot in Johnston.

25. Detective Parascandolo provided me with police reports documenting their investigation. I have reviewed these reports, as well as supplemental information provided to JPD by Home Depot loss prevention officers. According to the JPD reports, On April 7, 2023, JPD

³ According to the WPD report, these three individuals were identified as Kenny COY (YOB: 2002), Marcos COY (YOB: 1989) and Jose COY (YOB: 1985).

officers responded to the Home Depot located at 100 Stone Hill Drive in Johnston after receiving a call from that store's loss prevention officer Y.B. Y.B. reported that there were two separate incidents on March 22, 2023, and again on April 5, 2023, where Hispanic males entered the Johnston Home Depot and left with more than \$12,000 in unpaid merchandise, including a woodchipper, a water heater, and electrical wire. According to the report, on April 5, 2023, the individuals concealed 60 rolls of electrical wire into two cabinet boxes that they then paid for in a self-checkout line. They did not pay for the concealed electrical wire.

26. According to the JPD report, after conducting an inventory and reviewing and surveillance footage, Y.B. revised the loss amounts from these two incidents to \$26,826. Y.B. also revealed that to facilitate the theft of a large amount of wire spools, the suspects likely removed several items from their original packaging, filled these boxes with wire and stole the items in this manner. For example, on April 5, 2023, Home Depot surveillance video captured DAYGER-ENRIQUE and Sebastian LUJUJ SOLOMAN (YOB: 1993) exiting the Johnston Home Depot with cabinet boxes believed to have been filed with electrical wire as seen below:



27. Home Depot also provided surveillance photos documenting some of the retail theft that occurred at their Johnston store on March 22, 2023, including the photos below of MORALES DE PAZ and LAJUJ SOLOMAN exiting the store with a woodchipper for which they did not render payment as seen below:



28. On this same date, LAJUJ SOLOMAN was captured on surveillance footage with multiple spools of electrical wire and DAYGER-ENRIQUE was captured on video exiting the store with a large, opened box, commonly used by this group to conceal this electrical wire as seen below:



29. Y.B. also informed Detective Parascandolo that through her review of surveillance footage, she recognized one of the suspects as “Marvin Coy”. Y.B. stated that she also knows

COY by the alias of “Marvin Estuardo”⁴. Y.B. stated that she recognized COY/ESTUARDO from an incident where he was previously arrested at the Johnston Home Depot. Detective Parascandolo provided me with a JPD report documenting several incidents in 2021, where MORALES DE PAZ was encountered by loss prevention personnel, including Y.B. Home Depot reported to JPD that on July 28, 2021, and again on July 31, 2021, an individual (later identified to be MORALES DE PAZ) attempted to steal a large amount of flooring materials totaling more than \$1,000. According to this same report, on October 14, 2021, Y.B. contacted JPD and informed them that COY/ESTUARDO (MORALES DE PAZ) was back in the Johnston Home Depot. JPD responded to the Home Depot and identified MORALES DE PAZ as the same individual who was seen attempting to steal flooring in August of 2021. As JPD officers approached MORALES DE PAZ, he began to flee on foot but stopped after an officer command him to do so. The JPD report stated that at the time of this encounter, MORALES DE PAZ also had an active arrest warrant for a robbery offense. JPD arrested MORALES DE PAZ⁵.

30. Based on this information, Detective Parascandolo informed me that he initiated an investigation into these retail theft incidents. Detective Parascandolo reported that he reviewed video surveillance footage from these incidents and observed the suspects in the Home Depot conducting the thefts. Through Home Depot loss prevention employees, Detective Parascandolo became aware of the similar thefts that occurred in West Roxbury, MA in December of 2022 as previously mentioned herein. Based on this information, Detective Parascandolo reported that he

⁴ I have reviewed Home Depot Johnston surveillance photos of the individual described here as Marvin COY/ESTUARDO. I have also viewed Department of Homeland Security records for Marvin Estuardo MORALES DE PAZ and I know that Marvin COY/ESTUARDO is Marvin Estuardo MORALES DE PAZ, one of the Target Subjects.

⁵ At the time of this arrest, MORALES DE PAZ identified himself as Hamersson PEREZ (YOB: 1994).

communicated with the Suffolk County District Attorney's Office in Massachusetts and requested arrest photographs from the December theft at the Home Depot in West Roxbury. Detective Parascandolo received these arrest photos and compared them to the individuals captured on video surveillance at the Home Depot in Johnston who stole more than \$26,000 in merchandise in March and April of 2023. Based on this photo/video comparison and consultation with Home Depot loss prevention personnel, JPD obtained state arrest warrants for larceny and felony conspiracy for:

Marvin Estuardo MORALES DE PAZ⁶

Sebastian LAJUJ SOLOMAN⁷

Abraham DAYGER-ENRIQUE

31. According to a JPD arrest report, on April 24, 2023, JPD officers conducted surveillance in Providence, RI, where they observed a white van similar in appearance to the van used to transport suspects in both the West Roxbury and Johnston shoplifting incidents. JPD officers observed four Hispanic males exit the van and enter a business on Hartford Avenue. The van bore the same temporary Tennessee license plate encountered by Warwick Police during the arrest of DAYGER-ENRIQUE and LAJUJ SOLOMAN earlier this same month⁸. When the males exited the business and returned to the van, JPD officers continued to follow and stopped the van in the area of 130 Sterling Avenue in Providence. JPD officers asked that all four males exit the

⁶ Based on previous arrest reports linked to MORALES DE PAZ, I have discovered that he uses multiple aliases, including Marvin Estuardo COY PIRIR, Marvin M. ESTUARDO, Marvin E. MORALES and Hamersson PEREZ. MORALES DE PAZ has also used numerous different dates of birth.

⁷ Detective Parascandolo reported that he initially mistakenly identified LAJUJ SOLOMAN as Miguel PEREZ, another one of the subjects arrested in West Roxbury in December of 2022. According to Detective Parascandolo's report, he corrected this and positively identified LAJUJ SOLOMAN on April 24, 2023.

⁸ A check of this van's VIN reveals that it is registered to a used car dealership in Nashville, TN.

van⁹. Detective Parascandolo reported that while the subjects were exiting the van, he observed in plain view copper wire bundles stacked on top of each other in the rear of the van. The four occupants of the van were identified by JPD as:

- Kenny Rafael COY (YOB: 2002)
- Kleyver Alexander PEREZ (YOB: 2004)
- Marcos Otoniel COY (YOB: 1989)
- Sebastian LAJUJ SOLOMAN (YOB: 1993)

32. JPD officers took LAJUJ SOLOMAN into custody on the active Rhode Island arrest warrant for larceny and felony conspiracy charges. The other occupants of the van were released. Based on the circumstances, where potential stolen merchandise was in plain view in the van, JPD requested that they van be towed to JPD.

33. Once at JPD, officers conducted an inventory of the items located in the van¹⁰. According to reporting by JPD and discussions with Detective Parascandolo, I have determined that while conducting an inventory of the items contained in the van occupied by LAJUJ SOLOMAN prior to his arrest, JPD discovered 110 spools/rolls of electrical wire and 11 electrical/circuit breakers. I observed photographs of these items provided by JPD and observed that many of these items had visible Home Depot bar codes. Based on the labels of the items inventoried, JPD estimated that these items had a retail value that exceeded \$25,000. The items

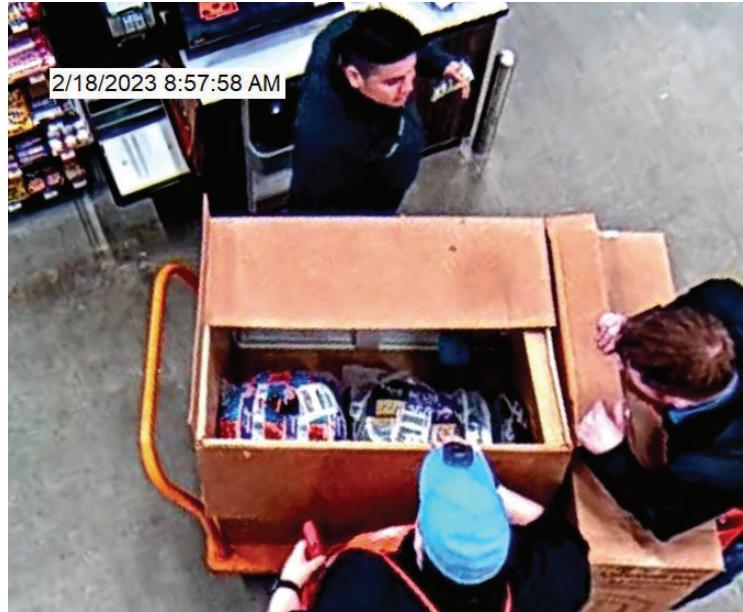
⁹ According to the JPD report, a Spanish-speaking officer was called to the scene to provide translation assistance.

¹⁰ During the inventory of the van containing the electrical wire, JPD officers discovered a Huawei cell phone in the glovebox. On May 2, 2023, I seized this cell phone from JPD. On May 22, 2023, United States Magistrate Judge Lincoln D. Almond authorized a search warrant for this cell phone. This phone, which was password protected, was submitted to HSI Boston's Digital Forensics Group for extraction. As of September 18, 2023, attempts to extract and analyze data from this phone have been unsuccessful.

were turned over to Home Depot loss prevention.

34. On May 16, 2023, I contacted R.S., the Organized Retail Crime Investigator for Home Depot. R.S. was aware of the arrest of LAJUJ SOLOMAN and the discovery of the Home Depot merchandise recovered by JPD. According to R.S., she reviewed these items recovered by JPD and estimated that the items were valued at nearly \$30,000. Furthermore, R.S. stated that based on the bar codes and markings affixed to the items, she determined that the spools of wire originated from five Home Depot locations, including, Johnston, Warwick, Coventry, Chester (VA), and Chesapeake (VA). R.S. informed me that after receiving the wire from JPD, she separated the electrical wire originating from the Home Depot stores in Virginia and estimated that these products have a retail value of approximately \$10,000. R.S. informed me that she is working with her counterparts in Virginia to determine when these items may have been stolen from these two locations.

35. Through my investigation, I have discovered that the van that was towed and inventoried in this case was also previously encountered by law enforcement on February 18, 2023, in the parking lot of the Home Depot located in Rockland, Maine. On this date, Home Depot loss prevention personnel discovered that a group of individuals were attempting to steal more than \$1,900 in electrical wire and other merchandise concealed in a box of another item in a similar manner as other instances referenced herein and as seen below taken from surveillance video in the Rockland Home Depot:



36. As a result of this attempted theft, the Rockland Police were contacted and responded. Due to the language barrier and the fact that the subjects all presented Guatemalan identity documents, the Rockland Police contacted the United States Border Patrol (USBP) for assistance. USBP Officer Jacob Stukenberg responded and noted in his report that he initially engaged with two individuals in a white Ford van bearing the same temporary Tennessee license plate as the van stopped in Warwick and Providence in April of 2023. USBP Officer Stukenberg determined that all six individuals he encountered at the Home Depot parking lot were Guatemalan nationals residing illegally in the United States. Officer Stukenberg arrested these individuals on administrative immigration violations and placed them in the custody of Immigration and Customs Enforcement (ICE). Several of the same individuals were present in the van in Rockland as in Warwick and Providence, including Kenny Rafael COY and Marcos Otoniel COY.

THE FAIRFIELD ARRESTS AND SEIZURE OF TARGET DEVICES

37. On August 28, 2023, JPD Detective Parascandolo notified me that FPD arrested MORALES DE PAZ, DAYGER-ENRIQUE and AMPEREZ-PEREZ at a Home Depot in Fairfield, Connecticut. On August 29, 2023, I spoke with FPD Sergeant Michael Stahl who

confirmed the arrests of the three subjects after responding to a report of a larceny in progress at the Home Depot in Fairfield. Sergeant Stahl notified me that the three subjects were detained, and each had a cell phone in their possession at the time of their arrests (the Target Devices). FPD provided a copy of the arrest report documenting this incident. According to the report, when FPD officers arrived in the parking lot of Home Depot, they observed the three males loading rolls of electrical wire from open cabinet vanity boxes into a white "Ford Transit Van". FPD arrested the three males and transported them to FPD. According to the report, none of the males had any identification on them at the time of their arrest.

38. According to the FPD report, officers spoke with Home Depot Asset Protection Specialist (APS) K.P., who informed the police that the three males entered the store with no merchandise at approximately 6:30 AM. K.P. informed the police that he observed the three males select the rolls of electrical wire and conceal the items in cabinet vanity boxes. K.P. made these observations using security cameras and in person while at the store. The three males then paid for the cabinet vanity boxes using cash but did not pay for the electrical wire inside of the boxes. K.P. informed FPD that he recognized the males as the same individuals who previously committed another larceny at the same Home Depot location. Following the arrests of MORALES DE PAZ, DAYGER-ENRIQUE and AMPEREZ-PEREZ, FPD recovered 75 rolls of electrical wire valued at \$6,945, according to the FPD report.

39. I reviewed Home Depot security footage of this incident in Fairfield and observed individuals I know to be MORALES DE PAZ, DAYGER-ENRIQUE and AMPEREZ-PEREZ, based on photos of these three from other arrest reports referenced herein. Below are several photos provided to me by Home Depot loss prevention personnel of the Fairfield Home Depot theft showing MORALES DE PAZ and DAYGER-ENRIQUE checking out with cabinet boxes

that were used to conceal the electrical wire and the wire unloaded into rear of the subject's van:



40. In summary, the Target Subjects have engaged in large-scale retail theft across several states where they have stolen or attempted to steal merchandise from Home Depot, Khol's and Lowe's valued at more than \$120,000. After multiple state arrests in Massachusetts and Rhode

Island, the Target Subjects have continued to engage in this illegal activity as demonstrated by their most recent arrests in Fairfield.

PROBABLE CAUSE TO BELIEVE THAT THE TARGET DEVICES CONTAIN EVIDENCE, FRUITS, AND INSTRUMENTALITIES OF THE TARGET OFFENSES

41. Based on my training and experience, and the facts set forth herein, there is probable cause to believe that the Target Devices contain evidence of the Target Offenses, including possible names, monikers, emails, phone numbers and other identifiers associated with those responsible for organizing and coordinating interstate theft and transport of stolen merchandise. This evidence would establish the “who” and “where” of the Target Offenses under investigation.

42. I know, based on my training and experience, my review of the events described here and other retail theft incidents, that those engaged in these activities require significant coordination and communication between various co-conspirators. For example, I viewed still images taken from surveillance footage at the Home Depot in Johnston on March 22, 2023, and observed that at least two members of this group conducting these thefts were doing so while talking on their cell phones. Conducting large-scale retail theft operations requires a certain degree of risk of being detected by employees, other customers, and/or law enforcement. The perpetrators described here attempted to mitigate these risks by positioning “lookouts” outside of the stores to alert those conducting the burglaries inside. An example of this occurred on December 9, 2022, in West Roxbury, where several members of the theft group were positioned in the parking lot of the Home Depot while at least four others were engaged in the shoplifting inside of the store. The group employed this same precautionary measure again on April 10, 2023, in Warwick while stealing merchandise from Kohl’s in Warwick. Based on these facts, I believe that both groups of

individuals relied on their cellular phones to relay pertinent information to each other regarding their criminal activities. A search of these phones is likely to reveal such communications.

SEARCH OF ELECTRONIC DEVICES

43. Based upon my experience and training I know that electronic devices like the Target Devices described here can store information for long periods of time. This information includes photographs, word processing documents, emails and other types of documents and records containing information needed to carry out criminal activity such as organized theft.¹¹ Similarly, things that have been viewed via the internet are typically stored for some period of time on the devices.¹² This information can sometimes be recovered with forensics tools.

44. As further described in Attachment B, this application seek permission to locate electronically stored information as well as forensic evidence that establishes how the Target Devices were used, the purpose of their use, who used them, and when. There is probable cause to believe that this forensic electronic evidence might be on the Target Devices because:

- a. Data on the storage medium can provide evidence of a file that was once on the storage medium but has since been deleted or edited, or of a deleted portion of a file (such as a paragraph that has been deleted from a word processing file).

¹¹ “Records, documents, and materials,” as used herein, includes all information recorded in any form by any means, whether in handmade form (such as writings, drawings, or paintings), photographic form (such as developed film, print-outs, slides, negatives, or magazines), type-written form (such as print-outs, books, pamphlets, or other typed documents), audio/visual form (such as tape-recordings, videotapes, DVDs, or CDs), or electronic form (such as digital data files, file properties, computer logs, or computer settings)

¹² “Internet,” as used herein, refers to a global network of computers and other electronic devices that communicate with each other. Due to the structure of the Internet, connections between devices on the Internet often cross state and international borders, even when the devices communicating with each other are in the same state.

- b. Forensic evidence on a device can also indicate who has used or controlled the device. This “user attribution” evidence is analogous to the search for “indicia of occupancy” while executing a search warrant at a residence.
- c. A person with appropriate familiarity with how an electronic device works may, after examining this forensic evidence in its proper context, be able to draw conclusions about how electronic devices were used, the purpose of their use, who used them, and when.
- d. The process of identifying the exact electronically stored information on a storage medium that is necessary to draw an accurate conclusion is a dynamic process. Electronic evidence is not always data that can be merely reviewed by a review team and passed along to investigators. Whether data stored on a cellular telephone is evidence may depend on other information stored on the cellular telephone and the application of knowledge about how a cellular telephone behaves. Therefore, contextual information necessary to understand other evidence also falls within the scope of the warrants.
- e. Further, in finding evidence of how a device was used, the purpose of its use, who used it, and when, sometimes it is necessary to establish that a particular thing is not present on a storage medium.

45. Based on the foregoing, and consistent with Rule 41(e)(2)(B), the warrants I am applying for would permit the examination of the Target Devices consistent with the warrants which may require authorities to employ techniques, including but not limited to computer-assisted scans of the entire medium, that might expose many parts of the device to human inspection in order to determine whether it is evidence described by the warrants.

Based on the foregoing, there is probable cause to believe that the Target Devices, seized by FPD on or about August 28, 2023, contain, communications between parties involved in the transportation of stolen goods and other data that constitutes evidence of the above listed offenses.

CONCLUSION

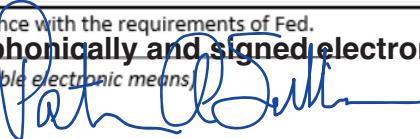
Based on the information described above, I have probable cause to believe that records and data from the Target Devices (as described in Attachment A), contain evidence, fruits, and instrumentalities of the Target Offenses (as described in Attachment B).

Respectfully submitted,



BRENDAN J. CULLEN
Special Agent

Homeland Security Investigations

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by <u>Sworn telephonically and signed electronically</u> (specify reliable electronic means)	
October 2, 2023	 Judge's signature
Date	
Providence, Rhode Island	Patricia A. Sullivan, USMJ
City and State	Magistrate Judge Patricia A. Sullivan

ATTACHMENT A

The items to be searched and seized are:

- (1) Samsung cell phone with a black backing and black protective case, bearing Fairfield Police Department (FPD) property #23-47490-1 (model and serial number unknown) pictured below;



- (2) Samsung cell phone with a black backing and red protective case, (model and serial number unknown) pictured below;



and

- (3) Samsung cell phone with a black backing and red and clear protective case, (model and serial number unknown) pictured below:



ATTACHMENT B**Records and Data to be Searched and Seized by Law Enforcement Personnel**

Evidence, fruits, or instrumentalities of violations of 18 U.S.C. §§ 2314 (interstate transportation of stolen goods) and 371 (conspiracy to commit interstate transportation of stolen goods) (collectively, the “Target Offenses”), including records relating to:

1. Theft from any retail or commercial locations, including all planning, preparation and execution of such activity;
2. Financial transactions (including cryptocurrency) relating to funds possibly derived from theft or the monetization of stolen goods;
3. The identity, location, travel, of any person(s) involved with larceny, burglary or transportation of stolen goods;
4. Lists of store locations or other businesses possibly targeted by the subjects for burglary;
5. Any information on storage facilities or other locations where stolen goods may be stored by the subjects listed herein;
6. Any information on the sale of stolen goods;
7. Financial accounts controlled by Sebastian LAJUJ SOLOMAN, Kenny Rafael COY, Kleyver Alexander PEREZ, Marcos Otoniel COY, Marvin Estuardo MORALES DE PAZ, Abraham DAYGER ENRIQUE, Abner PEREZ, Franklin SALAS, Miguel PEREZ, Johnathon AMPEREZ PEREZ or associated with any user of the devices described in Attachment A;
8. Assets owned, controlled, received, or transferred by any individual involved in the transportation of stolen goods;
9. Identity theft, including records and information relating to the collection and transfer of personal identification information (PII) including Social Security Numbers, dates of birth, home addresses, driver’s license numbers, credit card account numbers, places of employment and educational history;
10. Records and information relating to email accounts including emails discussing the commission of the within named federal offenses;
11. Records and information relating to the identity or location of the suspects;
12. Records and information relating to communications with Internet Protocol addresses;

13. Records of or information about the Target Devices' internet activity, including firewall logs, caches, browser history and cookies, "bookmarked" or "favorite" web pages, search terms that the user entered into any Internet search engine, and records of user-typed web addresses;
14. Any and all video and/or photographs evidencing the commission of the above described offenses or documenting the association between Sebastian LAJUJ SOLOMAN, Kenny Rafael COY, Kleyver Alexander PEREZ, Marcos Otoniel COY, Marvin Estuardo MORALES DE PAZ, Abraham DAYGER ENRIQUE, Abner PEREZ, Franklin SALAS, Miguel PEREZ, Johnathon AMPEREZ PEREZ;
15. Evidence indicating the computer user's state of mind as it relates to the crime under investigation;
16. Evidence indicating how and when the Target Devices were accessed or used to determine the chronological context of device access, use, and events relating to crime under investigation and to the device users;
17. Usernames, passwords or other login information associated with any user of the devices described in Attachment A; and
18. The location and identifying information for any computer equipment used in connection with retail theft and the transportation of stolen goods.

UNITED STATES DISTRICT COURT

for the
District of Rhode Island

In the Matter of the Search of)
 (Briefly describe the property to be searched)
 or identify the person by name and address)
 Three black cell phones seized by Fairfield,)
 CT Police Department)
)
) Case No. 23-SW-248

WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search and seizure of the following person or property located in the _____ District of _____ Rhode Island
 (identify the person or describe the property to be searched and give its location):

Three black cell phones seized by Fairfield, CT Police Department, and further described in Attachment A.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (identify the person or describe the property to be seized):

See Attachment B.

YOU ARE COMMANDED to execute this warrant on or before October 16, 2023 (not to exceed 14 days) in the daytime 6:00 a.m. to 10:00 p.m. at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Patricia A. Sullivan
 (United States Magistrate Judge)

Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

for _____ days (not to exceed 30) until, the facts justifying, the later specific date of _____.

Date and time issued: 3:38 PM, Oct 2, 2023

 Judge's signature
City and state: Providence, RI
 Patricia A. Sullivan, U.S. Magistrate Judge
 Printed name and title

Return

Case No.:	Date and time warrant executed:	Copy of warrant and inventory left with:
23-SW-		

Inventory made in the presence of :

Inventory of the property taken and name(s) of any person(s) seized:

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: _____

Executing officer's signature

Printed name and title

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

IN RE: SEARCH WARRANT

SW No. 23-SW-248-PAS

Filed Under Seal

MOTION TO SEAL

The United States of America, by and through its attorneys, Zachary A. Cunha, United States Attorney, and John P. McAdams, Assistant United States Attorney, moves that this Motion to Seal and the attached Application for Search Warrant, Search Warrant, Supporting Affidavit, and attachments, be sealed until further Order of this Court.

Respectfully submitted,

UNITED STATES OF AMERICA
By its Attorneys,

ZACHARY A. CUNHA
United States Attorney


John P. McAdams
Assistant U.S. Attorney
U.S. Attorney's Office
One Financial Plaza, 17th FL
Providence, RI 02903
Tel (401) 709-5000
Fax (401) 709-5001
Email: John.P.McAdams@usdoj.gov

SO ORDERED:



PATRICIA A. SULLIVAN
U.S. MAGISTRATE COURT JUDGE
DATE: October 2, 2023