

COPY

Approved: Jessica K. Feinstein  
Jessica Feinstein  
Assistant U.S. Attorney

Before: THE HONORABLE PAUL E. DAVISON  
United States Magistrate Judge  
Southern District of New York

- - - - - X

UNITED STATES OF AMERICA

: SEALED COMPLAINT

- v. -

: Violations of  
21 U.S.C. §§ 812,  
841(a)(1), and  
841(b)(1)(A), and 18  
U.S.C. § 2

ELISEO LLANOS,  
a/k/a "Eli,"

Defendant.

: COUNTIES OF OFFENSE:  
Sullivan, Orange

- - - - - X

15m 2086

SOUTHERN DISTRICT OF NEW YORK, ss.:

JOSEPH TAMWEBER, being duly sworn, deposes and says  
that he is an Special Agent with the Drug Enforcement  
Administration, and charges as follows:

COUNT ONE

(Possession with Intent to Distribute Narcotics)

1. From in or about 2011 through in or about May 2015,  
in the Southern District of New York and elsewhere, ELISEO LLANOS,  
a/k/a "Eli," the defendant, intentionally and knowingly did  
distribute and possess with intent to distribute a controlled  
substance, in violation of Title 21, United States Code, Section  
841(a)(1).

2. The controlled substance involved in the offense was  
5 kilograms and more of mixtures and substances containing a  
detectable amount of cocaine, in violation of Title 21, United  
States Code, Section 841(b)(1)(A).

(Title 21, United States Code, Sections 812, 841(a)(1), and  
841(b)(1)(A) and Title 18, United States Code, Section 2.)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

3. I am a Special Agent with the Drug Enforcement Administration. I have been personally involved in the investigation of this matter, and I base this affidavit on that personal experience, as well as on my conversations with other law enforcement agents and my examination of various reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause for the offenses cited above, it does not include all the facts that I have learned during the course of the investigation. Where the contents of conversations of others are reported herein, they are reported in substance and in part.

4. I have spoken with a cooperating witness (CW-1)<sup>1</sup> concerning narcotics trafficking in and around Orange County, New York, Sullivan County, New York, and elsewhere. CW-1 has stated, in substance and in part, that:

a. From in or about 2011 through in or about May 2015, ELISEO LLANOS, a/k/a "Eli," supplied CW-1 with wholesale quantities of cocaine. For most of that period, LLANOS would sell CW-1 100 grams of cocaine approximately every two to four weeks. Approximately one year prior to CW-1's arrest, LLANOS increased the amount of cocaine he sold CW-1 to approximately 250 grams every two to four weeks. Most of the time LLANOS would bring the cocaine to CW-1 in Middletown, New York. LLANOS typically charged CW-1 between \$46 and \$52 per gram of cocaine, which CW-1 then resold to retail customers at a profit.

b. LLANOS, the defendant, lives in a residential building in the vicinity of 29 Porter Road, Mountaindale, New York (the "Porter Road House"), where CW-1 has visited LLANOS. At the Porter Road House, CW-1 has observed LLANOS with as much as one kilogram of cocaine, which LLANOS divided in CW-1's presence in order to complete a sale to CW-1.

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<sup>1</sup> CW-1 has been arrested for a narcotics offense and has been proffering with the Government since in or about May 2015 in hopes of pleading guilty pursuant to a cooperation agreement and receiving a sentencing reduction. CW-1's statements have been corroborated in part by information already known to law enforcement, physical evidence, and wiretap recordings, as further discussed herein.

LLANOS has offered to sell CW-1 as much as 500 grams of cocaine per sale, but CW-1 declined.

c. LLANOS had provided CW-1 with marijuana in the past. LLANOS told CW-1 that he grows substantial quantities of marijuana at the Porter Road House and elsewhere. Approximately two years ago, when CW-1 became interested in growing marijuana, CW-1 obtained marijuana plants and growing equipment from LLANOS.

5. Based on my conversations with a New York State Police ("NYSP") Investigator ("Investigator-1"), and based on my review of law enforcement records, I have learned the following information:

a. Investigator-1 has reviewed law enforcement and other government records that confirm that ELISEO LLANOS, a/k/a "Eli," the defendant, in fact resides at the Porter Road House (as stated by CW-1).

b. On or about April 16, 2015, Investigator-1 spoke with a relative of LLANOS who resides at the Porter Road House, and that relative confirmed that LLANOS also resides there.

c. On or about April 16, 2015, the Sullivan County Court issued a warrant for the search and seizure of marijuana and paraphernalia associated with growing and selling marijuana from the Porter Road House (the "Search Warrant"). Investigator-1 and other law enforcement officers executed the Search Warrant that same day, seizing marijuana, marijuana plants, and significant quantities of paraphernalia used in growing and selling marijuana, such as grow lamps, digital scales, and a money counter. During the execution of the Search Warrant, Investigator-1 and other law enforcement officers also observed a container of inositol at the Porter Road House. I know based on my training and experience that inositol is commonly used as a "cutting agent" for cocaine, meaning a substance that can be used to dilute cocaine before sale so that the seller can increase the apparent total quantity of cocaine sold.<sup>2</sup> Because the Search Warrant concerned only marijuana and

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<sup>2</sup> CW-1 has stated that CW-1 did not believe that LLANOS cut the cocaine that LLANOS sold to CW-1. CW-1 does not, however, know that to be the case, nor does CW-1 know whether LLANOS cut the cocaine that he sold to other customers. In addition, I know based on my training and experience that individuals who

marijuana-associated paraphernalia, and because inositol is not itself unlawful to possess, law enforcement did not seize the inositol.

6. During the course of my investigation, I have investigated other individuals engaged in trafficking cocaine in Orange County and elsewhere, including two co-conspirators ("CC-1" and "CC-2"). From my investigation, I have learned the following about CC-1 and CC-2 and their interactions with ELISEO LLANOS, a/k/a "Eli," the defendant:

a. Multiple forms of evidence indicate that CC-1 is a retail seller of cocaine, including:

i. A cooperating witness (CW-2)<sup>3</sup> has informed law enforcement that from in or about 2013 through in or about April 2015, CW-2 regularly purchased cocaine from CC-1.

ii. On or about April 14, 2015, law enforcement officers recovered 12 grams of cocaine from CC-1's vehicle. Based on my experience and training, I know that the cocaine was in an amount and packaged in a manner consistent with resale.

iii. Pursuant to multiple wiretaps authorized by the United States District Court for the Southern District of New York (the "Wiretaps") between in or about October 2, 2014 and in or about March 27, 2015, law enforcement intercepted CC-1 and other individuals discussing transactions that, based on my training, experience, and involvement in this investigation, I believe to be retail sales of cocaine.<sup>4</sup>

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sell cocaine often use cutting agents such as inositol, which has a texture and appearance similar to cocaine, in order to, make it difficult for customers to detect that the sellers are cutting the cocaine they sell.

<sup>3</sup> In or about April 2015, CW-2 was arrested by the NYSP for possession of cocaine. CW-2 is assisting law enforcement in this investigation in the hope of receiving immunity or a lenient sentence. The information provided by CW-2 has been corroborated by, among other sources of information, conversations intercepted over court-ordered wiretaps and physical surveillance.

<sup>4</sup> The conversations captured on the Wiretaps and described herein do not use the term "cocaine," or otherwise name the

b. From in or about February 1, 2015, through in or about March 27, 2015, the Wiretaps also recorded multiple conversations between CC-1, CC-2 and another co-conspirator ("CC-3") indicating that CC-2 has supplied CC-1 with the cocaine that CC-1 sells.

c. From on or about January 30, 2015 to on or about February 20, 2015, a series of calls and text messages were intercepted over the Wiretaps between CC-1, CC-2, CC-3, LLANOS, and others, indicating, in sum and substance, that LLANOS supplied CC-2 with a wholesale quantity of cocaine on or about February 6, 2015, which CC-2 then supplied, in whole or in part, to CC-1:

i. From on or about January 30, 2015 to on or about February 4, 2015, CC-1 repeatedly told CC-2 and others, in substance and in part, that CC-1 needed a resupply. During that time, CC-2 told CC-1, in substance and in part, that CC-2 could not resupply CC-1, because CC-2 was awaiting a delivery.

ii. On or about January 31, 2015, in response to an inquiry from CC-2, LLANOS told CC-2, in substance and in part, that he would supply CC-2 as soon as he received a delivery from another unnamed co-conspirator. LLANOS and CC-2 discussed their annoyance that their respective customers were demanding resupply.

iii. On or about the afternoon of February 5, 2015, CC-2 told CC-1 and CC-3, in substance and in part, that CC-2 was expecting a resupply soon, but did not yet have a precise time.

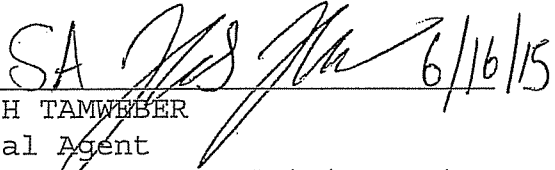
iv. On or about the night of February 5, 2015, CC-2 called LLANOS and asked for a time to meet LLANOS. LLANOS told CC-2 that they could meet at 9:00 a.m. on February 6, 2015.

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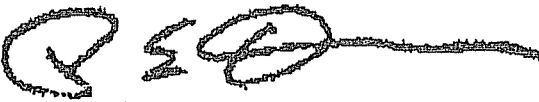
subject of the discussed transactions. I believe the conversations to discuss cocaine, because, among other reasons, the prices and quantities discussed are consistent with prices and quantities used for cocaine, and other evidence, including physical surveillance, shows that participants in the conversations engage in trafficking cocaine.

v. At approximately 9:16 a.m. on or about February 6, 2015, CC-2 called CC-1 and informed CC-1 that the resupply had arrived. CC-1 and CC-2 then agreed to meet approximately one hour later.

WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of ELISEO LANNOS, a/k/a "Eli," the defendant, and that he be arrested and imprisoned or bailed, as the case may be.

  
JOSEPH TAMWEBER  
Special Agent  
Drug Enforcement Administration

Sworn to before me this  
16th day of June, 2015

  
THE HONORABLE PAUL E. DAVISON  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK