

Approved: \_\_\_\_\_

JUSTINA L. GERACI  
Assistant United States Attorney

Before: THE HONORABLE MICHAEL H. DOLINGER  
United States Magistrate Judge  
Southern District of New York

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UNITED STATES OF AMERICA	:	<u>SEALED COMPLAINT</u>
-v.-	:	Violations of 18 U.S.C.
LEONID KAZIYEV,	:	§§ 2113(a) and 924(c).
Defendant.	:	COUNTY OF OFFENSE:
	:	NEW YORK

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SOUTHERN DISTRICT OF NEW YORK, ss.:

RYAN J. CHRISTIE, being duly sworn, deposes and says that he is a Special Agent of the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE

1. On or about December 9, 2014, in the Southern District of New York, LEONID KAZIYEV, the defendant, by force and violence, and by intimidation, did knowingly take, and attempt to take, from the person and presence of another, property and money and other things of value belonging to, and in the care, custody, control, management and possession of, a bank, the deposits of which were then insured by the Federal Deposit Insurance Corporation, to wit, KAZIYEV robbed a branch of HSBC Bank, located at 145 Fifth Avenue, New York, New York.

(Title 18, United States Code, Section 2113(a).)

COUNT TWO

2. On or about December 9, 2014, in the Southern District of New York, LEONID KAZIYEV, the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the bank robbery charged in Count One of this Complaint, knowingly did use and carry a

firearm, and, in furtherance of such crime, did possess a firearm, which was brandished.

(Title 18, United States Code, Section 924(c)(1)(A)(ii).)

COUNT THREE

3. On or about May 21, 2015, in the Southern District of New York, LEONID KAZIYEV, the defendant, by force and violence, and by intimidation, did knowingly take, and attempt to take, from the person and presence of another, property and money and other things of value belonging to, and in the care, custody, control, management and possession of, a bank, the deposits of which were then insured by the Federal Deposit Insurance Corporation, to wit, KAZIYEV robbed a branch of Bank of America, located at 1886 Broadway, New York, New York.

(Title 18, United States Code, Section 2113(a).)

COUNT FOUR

4. On or about May 21, 2015, in the Southern District of New York, LEONID KAZIYEV, the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the bank robbery charged in Count Three of this Complaint, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, which was brandished.

(Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 924(c)(1)(C).)

COUNT FIVE

5. On or about June 5, 2015, in the Southern District of New York, LEONID KAZIYEV, the defendant, by force and violence, and by intimidation, did knowingly take, and attempt to take, from the person and presence of another, property and money and other things of value belonging to, and in the care, custody, control, management and possession of, a bank, the deposits of which were then insured by the Federal Deposit Insurance Corporation, to wit, KAZIYEV again robbed a branch of HSBC Bank, located at 145 Fifth Avenue, New York, New York.

(Title 18, United States Code, Section 2113(a).)

COUNT SIX

6. On or about June 5, 2015, in the Southern District of New York, LEONID KAZIYEV, the defendant, during and in

relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the bank robbery charged in Count Five of this Complaint, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, which was brandished.

(Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 924(c)(1)(C).)

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

7. I am a Special Agent with the FBI. 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 law enforcement agents and others, and my examination of various reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

#### The First HSBC Bank Robbery

8. I have reviewed law enforcement documents and reports pertaining to an armed bank robbery which occurred on or about December 9, 2014, at approximately 11:30 a.m., at a branch of HSBC Bank, located at 145 Fifth Avenue, New York, New York ("Bank-1"). Based on my review of these materials, I have learned the following, in substance and in part:

a. A bank teller ("Teller-1") who was working at Bank-1 that morning told law enforcement the following, in substance and in part:

i. At approximately 11:30 a.m., an unknown white male, later identified as LEONID KAZIYEV, the defendant, as further described herein, wearing sunglasses, a hat, a winter coat, and a scarf covering the lower part of his face, approached Teller-1's window at Bank-1.

ii. KAZIYEV handed Teller-1 a hand-written note which read "MONEY NOW" ("Note-1"). KAZIYEV then removed a black gun from the shopping bag he was carrying, and stated, in

substance and in part: "Give me the money. I want the second drawer and the third drawer<sup>1</sup> - all the twenties that are there."

iii. Teller-1 complied, and gave KAZIYEV approximately \$12,000 cash. KAZIYEV flipped through some of the bills, placed them into his bag, and left Bank-1.

iv. After KAZIYEV left Bank-1, Teller-1 notified a colleague of what had happened. A fellow bank employee locked the front door to Bank-1, and the bank ceased to do business until the police arrived.

b. I have reviewed video surveillance footage depicting the December 9, 2014 robbery of Bank-1. This footage, obtained from inside the bank, is consistent with Teller-1's account of the robbery.

#### The Bank of America Robbery

9. I have reviewed law enforcement documents and reports pertaining to an armed bank robbery which occurred on or about May 21, 2015, at approximately 9:30 a.m., at a branch of Bank of America, located at 1886 Broadway, New York, New York ("Bank-2"). Based on my review of these materials, I have learned the following, in substance and in part:

a. A bank teller ("Teller-2") who was working at Bank-2 that morning told law enforcement the following, in substance and in part:

ii. At approximately 9:30 a.m., an unknown white male, later identified as LEONID KAZIYEV, the defendant, as further described herein, wearing sunglasses, a newsboy cap, and a black jacket, approached Teller-2's window at Bank-2.

ii. KAZIYEV handed Teller-2 a hand-written

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1 Based on my knowledge, training and experience, and my conversations with other law enforcement agents who also investigate bank robberies, I have learned, in substance and in part, that bank tellers have several tiered drawers of cash at their respective stations. The first, or top, drawer typically contains so-called "bait money" or "bait bills," which are used by banks to aid the tracing of bank robbers. Bait bills are cash bills whose serial number is recorded by the bank. During a bank robbery, if a robber has taken the bait money, these details can be passed on to the police to assist in apprehension. These bait bills may also contain dye-packs, which will permanently color the money, or tracking devices, which aid in the apprehension of the robber.

note which read "MONEY NOW" ("Note-2"). KAZIYEV stated, in substance and in part: "Give me hundreds and twenties from the bottom drawer. Don't press the [silent alarm] button."

iii. Teller-2 attempted to give KAZIYEV a stack of money from the top drawer, which included bait money. KAZIYEV then pulled out a black gun from his waistband, and held it close to his chest, so that it was visible to Teller-2. Teller-2 then gave KAZIYEV approximately \$10,100 cash, which KAZIYEV put into a black plastic bag. KAZIYEV ran out of Bank-2.

iv. After KAZIYEV left Bank-2, Teller-2 notified a colleague of what had happened. A fellow bank employee locked the front door to Bank-2, and the bank ceased to do business until the police arrived.

b. I have reviewed video surveillance footage depicting the robbery of Bank-2. This footage, obtained from inside the bank, is consistent with Teller-2's account of the robbery. According to the clock on the screen, the robbery took place at approximately 9:30 a.m. Furthermore, the video depicts the robber going, first, to the self-service counter, writing something down on a slip of paper, and then approaching Teller-2's window.

c. I have also reviewed video surveillance footage obtained from several outside locations in the vicinity of Bank-2, which depict the events before and after the time of the robbery of Bank-2, and which are set forth in substance and in part herein. According to the clock on the screen, at approximately 2:00 a.m., a silver Volkswagen Passat CC (the "Vehicle")<sup>2</sup> parks approximately one block away from Bank-2. At approximately 10:30 a.m., the driver of the Vehicle - wearing clothing identical to that of the robber - gets out, and walks to and from Bank-2 several times. Just prior to the robbery, the driver of the Vehicle is seen walking on Broadway, lighting and smoking a cigarette. He then flicks the cigarette under a moving truck parked nearby, before he enters Bank-2. After the robbery, at approximately 9:47 a.m., according to the clock on the screen, the robber runs across the street and around the corner, towards the direction of the Vehicle, which then drives away.

10. I have consulted with a handwriting expert, who compared Note-1 and Note-2. According to this expert, the same

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2 I have consulted with representatives of Volkswagen, who have informed me of the make and model of the vehicle depicted in the surveillance footage described herein.

individual wrote Note-1 and Note-2.

11. Among other evidence collected by law enforcement at the scene of this robbery was the cigarette butt from beneath the moving truck, described above in paragraph 9(c). Law enforcement submitted this cigarette butt for laboratory testing for the presence of DNA. The "Combined DNA Index System" ("CODIS") identified a match between the DNA swabs from this cigarette butt and the DNA profile of LEONID KAZIYEV, the defendant.

### The Second HSBC Bank Robbery

12. I have reviewed law enforcement documents and reports pertaining to an armed bank robbery which occurred on or about June 5, 2015, at approximately 11:10 a.m., again at Bank-1. Based on my review of these materials, I have learned the following, in substance and in part:

b. Teller-1, who again was working at Bank-1 that morning, told law enforcement the following, in substance and in part:

i. At approximately 11:10 a.m., an unknown white male, later identified as LEONID KAZIYEV, the defendant, as further described herein, wearing sunglasses and a newsboy cap, approached Teller-1's window at Bank-1. Teller-1 believed this was the same individual who had robbed Bank-1 previously, as described above in paragraph 8.

ii. KAZIYEV displayed a black gun, and held it close to his chest. KAZIYEV stated, in substance and in part: "Don't pull the alarm; don't give me bait. Open the top and bottom drawers." Teller-1 complied, and gave KAZIYEV approximately \$10,400 cash.

iii. After KAZIYEV left Bank-1, Teller-1 notified a colleague of what had happened. A fellow bank employee locked the front door to Bank-1, and the bank ceased to do business until the police arrived.

b. I have reviewed video surveillance footage depicting the June 5, 2015 robbery of Bank-1. This footage, obtained from inside the bank, is consistent with Teller-1's account of the robbery. Additionally, I have reviewed video surveillance footage obtained from an outside location in the vicinity of Bank-1, which depicts the events around the time of the June 5, 2015 robbery of Bank-1. According to the clock on

the screen, at approximately 11:18 a.m., a car which appears to be the Vehicle drives away from the vicinity of Bank-1.

13. I have confirmed with representatives of each bank that the deposits of Bank-1 and Bank-2 are insured by the Federal Deposit Insurance Corporation ("FDIC").


14. I have reviewed documents and records from the New York State Department of Motor Vehicles ("DMV") pertaining to LEONID KAZIYEV, the defendant. According to these records, in substance and in part, a silver Volkswagen Passat CC, which matches the depictions of the Vehicle from the video surveillance footage, is registered to KAZIYEV, and bears a certain license plate number. Based on my review of Automatic License Plate Reader ("LPR") data from on or about December 9, 2014, May 21, 2015, and June 5, 2015, I have learned the following, in substance and in part:

a. On or about December 9, 2014 and on or about June 5, 2015, KAZIYEV's vehicle drives through the Midtown Tunnel into New York, New York. On each of these days, shortly after the robberies of Bank-1, KAZIYEV's vehicle drives back through the Midtown Tunnel, leaving New York, New York.

b. On or about June 5, 2015, KAZIYEV's vehicle drives over the 59<sup>th</sup> Street Bridge at approximately 1:53 a.m., into New York, New York. At approximately 9:40 a.m., just after the robbery of Bank-2, KAZIYEV's vehicle drives back over the 59<sup>th</sup> Street Bridge, leaving New York, New York.

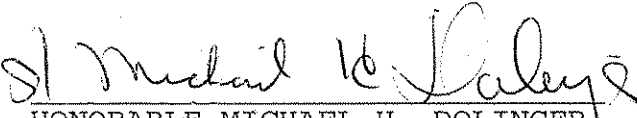
15. I have reviewed New York City Taxi & Limousine Commission ("TLC") documents and records pertaining to LEONID KAZIYEV, the defendant, who provided a certain telephone number as his contact number in connection with his April 2015 application for a license. Based on my review of historical cellsite data for this phone number, obtained via a court order to the service provider, and from my conversations with analysts who have mapped this data, I have learned, in substance and in part, that the cellsite data is consistent with KAZIYEV traveling to the locations of each of the three bank robberies described above, at the times indicated on the surveillance footage, then leaving the scene of each of the robberies, and traveling out of Manhattan.

WHEREFORE, deponent respectfully requests that LEONID KAZIYEV, the defendant, be arrested and imprisoned or bailed, as the case may be.



RYAN J. CHRISTIE  
Special Agent  
Federal Bureau of Investigation

Sworn to before me this  
7<sup>th</sup> day of July, 2015



HONORABLE MICHAEL H. DOLINGER  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK