

UNITED STATES DISTRICT COURT

ORIGINAL

for the

Southern District of New York

United States of America

v. Varick Goss

Case No. 15 Mag. 2639

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) VARICK GOSS

who is accused of an offense or violation based on the following document filed with the court:

- Indictment, Superseding Indictment, Information, Superseding Information, Complaint, Probation Violation Petition, Supervised Release Violation Petition, Violation Notice, Order of the Court

This offense is briefly described as follows:

Narcotics Trafficking Conspiracy (21 U.S.C. §.846)

Date: 07/30/2015

Handwritten signature of Judith C. McCarthy

Issuing officer's signature

City and state: White Plains, New York

Hon. Judith C. McCarthy, U.S. Magistrate Judge

Printed name and title

Return

This warrant was received on (date) ... and the person was arrested on (date) ... at (city and state) ...

Date:

Arresting officer's signature

Printed name and title

COPY

Approved: Lauren Schorr
Lauren B. Schorr / Douglas S. Zolkind
Assistant United States Attorneys

Before: HONORABLE JUDITH C. MCCARTHY
United States Magistrate Judge
Southern District of New York

15mag 2639

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:	<u>COMPLAINT</u>
UNITED STATES OF AMERICA	:
	:
- v. -	:
	:
VARICK GOSS,	:
	:
Defendant.	:
	:
----- x	:

Violations of
21 U.S.C. §§ 812,
841(a)(1),
841(b)(1)(C), and 846

COUNTY OF OFFENSE:
DUTCHESS

SOUTHERN DISTRICT OF NEW YORK, ss.:

JEFFREY WRIGHT, being duly sworn, deposes and says that he is a Task Force Officer with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE

1. On or about May 9, 2015, in the Southern District of New York and elsewhere, VARICK GOSS, the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that VARICK GOSS, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances involved in the offense were (a) mixtures and substances containing a detectable amount of cocaine base, in violation of Title 21, United States Code, Section 841(b)(1)(C), and (2) mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Section 846.)

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

4. I am a Detective with the City of Poughkeepsie Police Department and a member of the Hudson Valley Safe Streets Task Force, along with other Task Force Officers and agents from the FBI. I have been involved in the investigation of the above-described offense. I am familiar with the facts and circumstances set forth below from my personal participation in the investigation, including my review of pertinent documents and recordings, my participation in surveillance, and my conversations with other individuals, including fellow law enforcement officers. 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 or recordings, or the actions, statements or conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

5. On or about April 27, 2015, the Honorable Kenneth M. Karas, United States District Judge for the Southern District of New York, issued an Order of Interception pursuant to the provisions of Chapter 119 of Title 18, United States Code ("Title III"), authorizing the interception and recording of wire and electronic communications over the cellphone number used by a co-conspirator of VARICK GOSS, the defendant ("CC-1") (the "CC-1 Phone").

6. I was personally involved in monitoring the interceptions over the CC-1 Phone from on or about April 27, 2015 through on or about May 13, 2015. I have also spoken with, and reviewed reports by, other law enforcement officers who were involved in monitoring the interceptions over the CC-1 Phone. Based on these discussions and reports, as well as my review of

the recordings and draft transcripts of the interceptions, I have learned the following¹:

a. On or about May 9, 2015, at approximately 6:12 p.m., another co-conspirator of GOSS ("CC-2") called CC-1 on the CC-1 Phone. During that call, CC-2 stated, "What's going on?" CC-1 stated, "You back?" CC-2 stated, "Nah I ain't back but I'm tryin to get my ummy man to come come holler at you." CC-1 stated, "Alright is he drivin?" CC-2 stated, "Yea he drivin." CC-1 stated, "Alright tell him where to go I'm at 140. I'm at 140." CC-2 stated, "Alright alright. The usual?" CC-1 stated, "Yeah, no I need I need three." CC-2 stated, "Oh ok alright. I got you." Based on my training, experience, and investigation of this matter, I believe that CC-1 and CC-2 were discussing a narcotics transaction, and that CC-2 told CC-1 that he was going to send an associate of his to sell heroin to CC-1. As described below, the associate of CC-2 was later determined to be GOSS.

b. Soon thereafter, at approximately 6:14 p.m., CC-1 used the CC-1 Phone to call CC-2. During that call, CC-2 stated, "Yo." CC-1 stated, "Yeah you know what tell em tell emit's a negative but I see him tonight when I get back." Based on my training, experience, and investigation of this matter, I believe that CC-1 and CC-2 were continuing to discuss a narcotics transaction.

c. Then, at approximately 8:09 p.m., CC-1 used the CC-1 Phone to call CC-2. During that call, CC-1 stated, "Damn yo . . . your peoples never came out." CC-2 stated, "I know some bullshit happened wit em." CC-1 stated, "Oh so he's done for the night." CC-2 stated, "I don't know how long he gonna be in for he's in hold up . . . he he you know what I'm sayin some bullshit happened wit em he went to go see somebody else for me and and as soon as he got outta the car with that person somebody else jumped in and robbed the person." CC-1 stated, "And robbed him." CC-2 stated, "Hee yeah and robbed the person that he went to go see (unintelligible)." CC-1 stated, "Ohh." CC-2 stated, "Now the dude they then they both commenced to start fightin and outta the outta the outta the bullshit you know cause there was a lot of people on the block." CC-1

¹ Where I refer to the contents of previously recorded communications, my quotations and descriptions are based on preliminary draft summaries and transcriptions, my review of the recordings, and/or my discussions with other individuals.

stated, "Umm uhh." CC-2 stated, "(Unintelligible) fuckin um some crazy shit um mad police came you know what I'm sayin so he had sometin on him a little sometin on him that he had for another dude but all it all it was was a bomb." CC-1 stated, "Yeah." Based on my training, experience, and investigation of this matter, I believe that CC-1 called CC-2 to let him know that CC-2's associate did not show up for the narcotics transaction. CC-2 explained that CC-2's associate had been arrested. He stated that immediately after GOSS sold narcotics to one of CC-2's customers, that customer was robbed. CC-2 also stated that CC-2's associate had a "bomb" on his person, which I believe to be a bundle, or 10 dose units, of heroin.

7. In connection with the intercepted communications discussed above in Paragraph 6(a) and (b), on or about May 9, 2015, other law enforcement officers and I conducted surveillance of CC-1, and also in the vicinity of Barclay Street and Carroll Street in Poughkeepsie, New York, in anticipation of a pending narcotics transaction between CC-1 and CC-2's associate. While conducting surveillance, law enforcement officers and I observed GOSS standing in the immediate vicinity of an individual ("Individual-1"), who was sitting in a vehicle. Other law enforcement officers and I observed another individual ("Individual-2") enter Individual-1's vehicle and rob and assault Individual-1. Following that robbery, GOSS was arrested by two officers (the "Officers") from the City of Poughkeepsie Police Department (the "CPPD").

8. Based on my conversations with the Officers and my review of reports prepared by law enforcement, I have learned that, after GOSS was arrested, he was searched and the Officers found a bundle of wax paper bags containing a white substance in the left front pocket of GOSS's pants. The substance field tested positive for heroin, and there were 10 dose units of heroin.²

9. GOSS was then taken to CPPD headquarters. I was present when GOSS was read his Miranda rights by an FBI agent. He waived his rights and agreed to speak with law enforcement. The FBI agent and I then interviewed GOSS. The interview was

² One dose unit is equivalent to a single glassine envelope of heroin. One "bundle" typically contains approximately ten dose units of heroin. The exact weight and content of the substance found on GOSS is expected to be confirmed by laboratory testing, which is not yet complete.

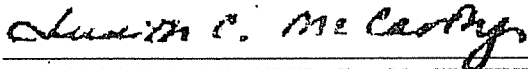
not audio or video recorded. During the interview, GOSS stated, in substance and in part, that on or about May 9, 2015, prior to the robbery incident, GOSS had sold crack cocaine to Individual-1 in exchange for \$200.00. GOSS had intended to sell one bundle of heroin to another buyer, but that transaction never took place due to the robbery incident.

WHEREFORE, the deponent respectfully requests that a warrant issue for the arrest of VARICK GOSS, the defendant, and that VARICK GOSS be imprisoned or bailed, as the case may be.



JEFFREY WRIGHT
City of Poughkeepsie Police
Department Detective
Task Force Officer
Federal Bureau of Investigation

Sworn to before me this
30 of July 2015



HONORABLE JUDITH C. MCCARTHY
United States Magistrate Judge
Southern District of New York