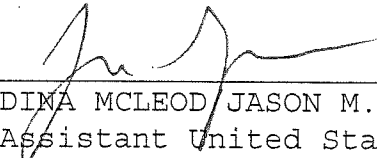


Approved:

  
DINA MCLEOD/JASON M. SWERGOLD  
Assistant United States Attorneys

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

15 MAG 3498

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UNITED STATES OF AMERICA	:	<u>SEALED COMPLAINT</u>
- v. -	:	Violations of 18 U.S.C.
PAUL BARRY,	:	§§ 371, 922(a), 924(c),
a/k/a "Bucka,"	:	and 2; 21 U.S.C. §§ 812,
ANTHONY ROMAN,	:	841(a)(1) and
a/k/a "Tone," and	:	841(b)(1)(C).
TIANA WILLIAMS,	:	COUNTY OF OFFENSE:
	:	BRONX
Defendants.	:	
----- X	:	

SOUTHERN DISTRICT OF NEW YORK, ss.:

HEATHER MCKEON, being duly sworn, deposes and says that she is a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives and charges as follows:

COUNT ONE  
(Firearms Trafficking Conspiracy)

1. From at least in or about December 2014, up to and including at least in or about September 2015, in the Southern District of New York and elsewhere, PAUL BARRY, a/k/a "Bucka," ANTHONY ROMAN, a/k/a "Tone," and TIANA WILLIAMS, the defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate and agree together and with each other to commit an offense against the United States, to wit, trafficking in firearms in violation of Title 18, United States Code, Section 922(a)(1)(A).

2. It was a part and an object of the conspiracy that PAUL BARRY, a/k/a "Bucka," ANTHONY ROMAN; a/k/a "Tone," and

TIANA WILLIAMS, the defendants, and others known and unknown, not being licensed importers, licensed manufacturers, or licensed dealers of firearms within the meaning of Chapter 44, Title 18, United States Code, would and did willfully and knowingly engage in the business of dealing in firearms, and in the course of such business would and did ship, transport, and receive firearms in interstate and foreign commerce, in violation of Title 18, United States Code, Section 922(a)(1)(A).

OVERT ACT

3. In furtherance of said conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere:

a. On or about April 7, 2015, PAUL BARRY, a/k/a "Bucka," ANTHONY ROMAN, a/k/a "Tone," and TIANA WILLIAMS, the defendants, met with an undercover officer ("UC-1") in a building in the vicinity of 2105 Daly Avenue in the Bronx, New York, and sold UC-1 two 9mm semi-automatic firearms for approximately \$1,400.

(Title 18, United States Code, Section 371.)

COUNT TWO

(Firearms Trafficking)

4. From at least on or about December 12, 2014, up to and including at least on or about September 24 2015, in the Southern District of New York and elsewhere, PAUL BARRY, a/k/a "Bucka," ANTHONY ROMAN, a/k/a "Tone," and TIANA WILLIAMS, the defendants, not being licensed importers, licensed manufacturers, or licensed dealers of firearms within the meaning of Chapter 44, Title 18, United States Code, did willfully and knowingly engage in the business of dealing in firearms, and in the course of such business did ship, transport, and receive firearms in interstate and foreign commerce, to wit, the defendants transported firearms from Ohio to the Bronx, New York, for the purpose of illegally reselling the firearms.

(Title 18, United States Code, Sections 922(a)(1)(A),  
922(a)(1)(B), 924(n), and 2.)

COUNT THREE

(Interstate Transportation and Receipt of Firearms)

5. From at least on or about December 12, 2014, up to and including at least on or about September 24 2015, in the Southern District of New York and elsewhere, ANTHONY ROMAN, a/k/a "Tone," the defendant, not being a licensed importer, licensed manufacturer, licensed dealer or licensed collector of firearms within the meaning of Chapter 44, Title 18, United States Code, willfully and knowingly did transport into and receive in the state where he resides, firearms purchased and otherwise obtained by the defendant outside that state, to wit, ROMAN received into New York firearms purchased in Ohio.

(Title 18, United States Code, Sections 922(a) (3)  
and 2.)

COUNT FOUR

(Narcotics Possession with Intent to Distribute)

6. From at least in or about August 2015 to in or about September 2015, in the Southern District of New York and elsewhere, ANTHONY ROMAN, a/k/a "Tone," the defendant, intentionally and knowingly distributed and possessed with the intent to distribute a controlled substance, and aided and abetted the same, in violation of Title 21, United States Code, Section 841(a) (1).

7. The controlled substance involved in the offense was a quantity of mixtures and substances containing a detectable amount of ethylone, in violation of Title 21, United States Code, Section 841(b) (1) (C).

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

COUNT FIVE

(Firearm Possession in Connection with a Narcotics Offense)

8. On or about September 16, 2015, in the Southern District of New York and elsewhere, ANTHONY ROMAN, a/k/a "Tone," the defendant, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics offense charged in Count Four of this Complaint, knowingly did use and carry a firearm, and in

furtherance of such narcotics offense, knowingly did possess a firearm.

(Title 18, United States Code, Sections 924(c)(1)(A)(i) and 2.)

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

9. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF," together with the New York City Police Department, "NYPD," the Investigating Agencies). I have been personally involved in the investigation of this matter. This affidavit is based upon my conversations with other law enforcement officers and agents and my examination of documents, reports, and other records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all of 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.

#### Overview of the Firearms Trafficking Operation

10. As part of my investigation, I have learned that beginning at least in or about December 2014 through at least in or about September 2015, PAUL BARRY, a/k/a "Bucka," ANTHONY ROMAN, a/k/a "Tone," and TIANA WILLIAMS, the defendants, conspired to and did purchase firearms in Ohio for the purpose of illegally reselling the firearms in the Bronx, New York. Specifically, during this time period, BARRY purchased firearms in Ohio and transported those firearms from his residence in West Carrollton, Ohio to ROMAN's residence in the Bronx. Once there, ROMAN, with the assistance of WILLIAMS, illegally resold the firearms.

#### The Controlled Purchases

11. Based on my participation in this investigation and my communications with an NYPD detective ("Detective-1") who has also participated in this investigation, I know that from in or about December 2014 through the present, the Investigating Agencies have conducted over seventeen controlled purchases (the "Controlled Purchases") of over fifty firearms (the "Illegally Trafficked Firearms"), from PAUL BARRY, a/k/a "Bucka," ANTHONY ROMAN, a/k/a "Tone," and TIANA WILLIAMS, the defendants, as well

as multiple controlled purchases of illegal narcotics, from ANTHONY ROMAN, a/k/a "Tone," the defendant. For example:

a. On or about December 21, 2014, an NYPD confidential informant ("CI-1") purchased two .38 caliber revolvers and one .40 caliber semi-automatic pistol from BARRY in exchange for approximately \$2,000. During the transaction, which occurred in the vicinity of a building on Rowland Street in the Bronx, WILLIAMS was also present and handed CI-1 a bag containing the firearms.<sup>1</sup>

b. On or about April 25, 2015, in ROMAN's apartment (the "Apartment") in a building (the "Building") in the Bronx, New York, UC-1 purchased four 9mm semi-automatic pistols and approximately 66 rounds of ammunition from ROMAN in exchange for approximately \$3,200 (the "April 25 Sale"). The April 25 Sale was audio-recorded.

c. On or about May 9, 2015, UC-1 purchased two .380 caliber firearms, two .32 caliber firearms, and approximately one hundred rounds of ammunition from ROMAN in the Apartment for approximately \$2,500 (the "May 9 Sale"). The May 9 Sale was audio-recorded. On the audio-recording of the May 9 Sale, ROMAN tells UC-1, in sum and substance, that "his guy" was going back to Ohio for a week or two and would soon have more firearms to sell.

d. On or about May 21, 2015, UC-1 purchased a .357 caliber firearm, three 9 mm caliber firearms and approximately 110 rounds of ammunition from ROMAN at the Apartment for approximately \$4,500 (the "May 21 Sale"). The May 21 Sale was audio-recorded.

e. On or about June 19, 2015, UC-1 purchased two 9 mm handguns, two .45 caliber handguns, and approximately 155 rounds of ammunition from ROMAN at the Apartment for approximately \$4,000 (the "June 19 Sale"). The June 19 Sale was audio-recorded.

f. On or about June 29, 2015, UC-1 purchased four semi-automatic pistols, one AR-15 style assault rifle, and 185 rounds of assorted ammunition from ROMAN at the Apartment, in exchange for \$6,000 (the "June 29 Sale"). Security video from outside the Building captured WILLIAMS arriving carrying a heavy duffel bag prior to the transaction. In addition, WILLIAMS was

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<sup>1</sup> CI-1 is an individual who has worked with the NYPD and has been paid for providing assistance to law enforcement.

present during the transaction and escorted UC-1 into the Apartment. The June 29 Sale was audio-recorded.

g. On or about September 16, 2015, an NYPD undercover officer ("UC-2") purchased two firearms and twenty-nine capsules of ethylone—a Schedule I controlled substance sometimes referred to as "molly"—from ROMAN in the Apartment (the "September 16 Sale"). The September 16 Sale was video- and audio-recorded.

12. Based on my review of information obtained from Facebook pursuant to a search warrant relating to Facebook accounts belonging to PAUL BARRY, a/k/a "Bucka," and ANTHONY ROMAN, a/k/a "Tone," the defendants, I have learned that BARRY, ROMAN, and TIANA WILLIAMS, the defendant, communicated about the conspiracy to illegally traffic firearms on Facebook. For example:

a. On or about April 24, 2015, the day before the April 25 Sale, WILLIAMS sent a message to ROMAN via Facebook, stating, in sum and substance, "hey you spoke to this guy. He'll be here tomorrow." ROMAN responded, "Yeah."

b. On or about June 2, 2015, WILLIAMS sent BARRY a message via Facebook stating, in sum and substance, "I forgot to give tone a part. It's the holster part . . . I still have it."

c. On or about June 4, 2015, BARRY sent ROMAN a message via Facebook stating, in sum and substance, "Size 9. I got for [four] pairs of air jays bro." ROMAN responded, "How much." BARRY responded, "All four pairs." On or about June 5, 2015, UC-1 purchased four 9 mm handguns from ROMAN at the Apartment. Based on my training and experience, I believe that when ROMAN and BARRY discussed "four pairs" of "size 9" "air jays," ROMAN and BARRY were referring to four 9 mm handguns.

#### BARRY's Transportation of Firearms from Ohio to New York

13. Based on my review of historical cellsite information for the cellphone belonging to PAUL BARRY, the defendant, I have learned that BARRY travelled from his residence in Ohio to New York City shortly before certain of the Controlled Purchases occurred. For example:

a. BARRY travelled from Ohio to the Bronx, New York on the evening of April 24, 2015. The April 25 Sale occurred the next day.

b. BARRY travelled from Ohio to the Bronx, New York on the evening of May 8, 2015. The May 9 Sale occurred the next day.

c. BARRY travelled from Ohio to the Bronx, New York on the afternoon of May 19, 2015. The May 21 Sale occurred two days later.

14. Based on my review of video surveillance of the exterior and interior of the Building, I know that PAUL BARRY, the defendant, transported illegally trafficked firearms to the Apartment prior to certain of the Controlled Purchases. For example:

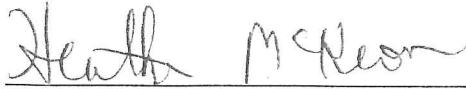
a. On or about May 21, 2015, BARRY arrived at the Apartment with a duffle bag and plastic bag. At approximately 11:15 a.m., BARRY entered the Apartment. At approximately 11:26 a.m., BARRY exited the Apartment, and returned shortly thereafter with a bookbag. At approximately 12:05 p.m., ANTHONY ROMAN, the defendant, exited the Apartment, and returned to the Apartment shortly thereafter. At approximately 12:07 p.m., UC-1 entered the Apartment to conduct the May 21 Sale. UC-1 exited the Apartment at approximately 12:12 p.m. At approximately 12:33 p.m., BARRY and an unidentified man exited the Apartment.

b. On or about June 19, 2015, at approximately 10:50 a.m., BARRY arrived at the Building in a minivan and entered the Building. BARRY was carrying a small bookbag. At approximately 12:27 p.m., UC-1 entered the Building to conduct the June 19 Sale. UC-1 exited the Building at approximately 12:40 p.m.

15. From my review of ATF trace reports for the Illegally Trafficked Firearms, I have learned that forty-one of the fifty-three Illegally Trafficked Firearms have been traced to firearm wholesalers in Ohio.

16. ATF Agent-1 has also confirmed to me that an intelligence analyst with the ATF searched a national database of ATF license holders and there are no records of or entries with respect to an application for or issuance of a firearms license to PAUL BARRY, a/k/a "Bucka," ANTHONY ROMAN, a/k/a "Tone," and TIANA WILLIAMS, the defendants, within New York or Ohio for the period of December 1, 2014 through September 28, 2015.

WHEREFORE, the deponent respectfully requests that warrants be issued for the arrest of PAUL BARRY, a/k/a "Bucka," ANTHONY ROMAN, a/k/a "Tone," and TIANA WILLIAMS, the defendants, and that they be arrested and imprisoned or bailed, as the case may be.



HEATHER MCKEON  
Special Agent  
Bureau of Alcohol, Tobacco, Firearms  
and Explosives

Sworn to before me this  
30th day of September, 2015



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