

Approved: Pat J. Keary / David W. Denton, Jr.
BENET J. KEARNEY / DAVID W. DENTON, JR.
Assistant United States Attorneys

Before: THE HONORABLE SARAH NETBURN
United States Magistrate Judge
Southern District of New York

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: UNITED STATES OF AMERICA : COMPLAINT
: :
-v- : Violation of
: 18 U.S.C. §§ 2113(a),
MICHAEL MAZZARA, : 371, and 2
CHARLES KERRIGAN, and :
ANTHONY MASCUZZIO, : COUNTY OF OFFENSE:
: NEW YORK
Defendants. :
: :
----- X

SOUTHERN DISTRICT OF NEW YORK, ss.:

BRADFORD B. PRICE, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE
(Conspiracy to Commit Bank Burglary)

1. From at least in or about April 2016, up to and including the present, in the Southern District of New York and elsewhere, MICHAEL MAZZARA, CHARLES KERRIGAN, and ANTHONY MASCUZZIO, the defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with others, known and unknown, to commit offenses against the United States.

2. It was a part and an object of the conspiracy that MICHAEL MAZZARA, CHARLES KERRIGAN, and ANTHONY MASCUZZIO, the defendants, and others, known and unknown, would and did enter a bank and a building used in whole and in part as a bank, the deposits of which were then insured by the Federal Deposit Insurance Corporation, with intent to commit in such bank and building and part thereof so used, a felony affecting such bank and in violation of a statute of the United States, and a larceny, in violation of Title 18, United States Code, Section 2113(a).

OVERT ACTS

3. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts were committed in the Southern District of New York and elsewhere:

a. From on or about April 8, 2016, up to and including April 9, 2016, MICHAEL MAZZARA and CHARLES KERRIGAN, the defendants, transported a "Shop-Vac" and oxygen and acetylene tanks to an HSBC Bank branch for use in a burglary.

b. On or about May 21, 2016, MICHAEL MAZZARA and ANTHONY MASCUZZIO, the defendants, purchased fire extinguishers and a five-gallon bottle of water for use during a burglary of a Maspeth Federal Savings Bank branch.

c. On or about May 21, 2016, a co-conspirator not named as a defendant herein ("CC-1") traveled over the Verrazano Bridge from Staten Island, New York to Brooklyn, New York, in order to participate in a burglary of a Maspeth Federal Savings Bank branch.

d. On or about May 22, 2016, ANTHONY MASCUZZIO, the defendant, and CC-1 loaded items that had been stolen from the Maspeth Federal Savings Bank branch into a vehicle.

e. On or about May 22, 2016, CC-1 traveled over the Verrazano Bridge from Brooklyn, New York to Staten Island, New York, while transporting items that had been stolen from Maspeth Federal Savings Bank branch.

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

COUNT TWO
(Bank Burglary)

4. From on or about April 8, 2016, up to and including April 10, 2016, in the Southern District of New York and elsewhere, MICHAEL MAZZARA and CHARLES KERRIGAN, the defendants, and others, known and unknown, knowingly did enter and attempt to enter a bank and a building used in whole and in part as a bank, the deposits of which were then insured by the Federal Deposit Insurance Corporation, with intent to commit in such bank and building and part thereof so used, a felony affecting such bank and in violation of a statute of the United States, and a larceny, and did aid and abet the same, to wit, MAZZARA and KERRIGAN cut a hole in the roof of a bank building, entered the bank vault, and removed money and other valuables from the vault.

(Title 18, United States Code, Sections 2113(a) and 2.)

COUNT THREE
(Bank Burglary)

5. From on or about May 19, 2016, up to and including May 22, 2016, in the Southern District of New York and elsewhere, MICHAEL MAZZARA, CHARLES KERRIGAN, and ANTHONY MASCUZZIO, the defendants, and others, known and unknown, knowingly did enter and attempt to enter a bank and a building used in whole and in part as a bank, the deposits of which were then insured by the Federal Deposit Insurance Corporation, with intent to commit in such bank and building and part thereof so used, a felony affecting such bank and in violation of a statute of the United States, and a larceny, and did aid and abet the same, to wit, MAZZARA, KERRIGAN, and MASCUZZIO cut a hole in the roof of a bank building, entered the bank vault, and removed money and other valuables from the vault.

(Title 18, United States Code, Sections 2113(a) and 2.)

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

6. I am a Special Agent with the Federal Bureau of Investigation ("FBI") assigned to the New York City Police Department ("NYPD") and FBI Joint Violent Crimes Task Force (the "Task Force"). I have been a Special Agent with the FBI for approximately 12 years. 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 other individuals and my examination of various reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause for the offense 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.

Overview

7. Over the past several years, the FBI and the NYPD have been investigating a pattern of bank burglaries and attempted bank burglaries in and around New York City. These burglaries and attempted burglaries involve a crew of individuals who break or attempt to break into secured bank vaults and safety deposit boxes, generally by cutting through a roof or a wall from a space adjoining the bank. This crew is believed to have included, at various points in time, MICHAEL MAZZARA, CHARLES KERRIGAN, and ANTHONY MASCUZZIO, the defendants, among others. Based on my participation in this investigation, my review of photographs in law enforcement databases, and my review of surveillance footage, I have become

familiar with the appearance of MAZZARA, KERRIGAN, and MASCUZZIO.

8. Based on my participation in this investigation, I have learned that over the weekend commencing on April 8, 2016, there was a burglary of an HSBC Bank branch (the "HSBC Branch") located at 4406 13th Avenue, between 44th and 45th Streets, in Brooklyn, New York (the "HSBC Burglary"); over the weekend commencing May 20, 2016, there was a similar burglary of a Maspeth Federal Savings Bank branch (the "Maspeth Branch", together with the HSBC Branch, the "Victim Banks") located at 64-19 Woodhaven Blvd., in Queens, New York (the "Maspeth Burglary"). Approximately \$5,000,000 in cash and valuables was stolen during these two burglaries, which used techniques that fit the pattern that the FBI and NYPD have been investigating.

9. As set forth in greater detail below, surveillance footage, telephone records, financial records, and other evidence shows MICHAEL MAZZARA, CHARLES KERRIGAN, and ANTHONY MASCUZZIO, the defendants, preparing for and executing these burglaries by, among other things, purchasing burglary equipment (some of which was later recovered by law enforcement from the Victim Banks), preparing that equipment near MAZZARA and KERRIGAN's homes, and driving to and from the Victim Banks.

The HSBC Burglary

10. Based on my involvement in this investigation, my discussions with other law enforcement officers and other civilian witnesses, my review of documents and other records, and my training and experience, I have learned the following, in substance and in part:

a. Between approximately 1:45 p.m. on April 8, 2016, and 5:30 a.m. on April 10, 2016, the HSBC Branch was burglarized. An initial investigation revealed that the burglars had cut through the roof of the HSBC Branch and into the bank's vault. Investigators found oxygen and acetylene tanks¹ on the roof of the HSBC Branch and concluded that the burglars used a torch to cut through the roof and into the vault. Based on other evidence observed at the scene, investigators concluded that the burglars had accessed the roof of the HSBC Branch via the building next door, which was vacant and under construction. A picture of the roof of the HSBC Branch in the HSBC Burglary's aftermath is attached as Exhibits A and is incorporated by reference herein.

¹ Acetylene is a gas used in conjunction with oxygen to fuel welding and cutting torches. It is often stored in specialized cylindrical tanks.

b. The alarm wires coming from the HSBC Branch's vault had been cut from inside the bank building sometime before the bank closed on April 8, 2016. The telephone wiring in a Verizon utility box located approximately one block away from the HSBC Branch, in the vicinity of 12th Avenue and 45th Street, had been cut at approximately 1:50 p.m. on April 8, 2016, disabling phone lines to the bank.²

c. Approximately \$330,000 in cash was taken from the HSBC Branch's vault during the burglary, as well as the contents of safe deposit boxes.

11. Behind the HSBC Branch building is an alleyway that connects 44th and 45th Streets (the "Alleyway"). Located in the Alleyway is a ladder that leads to the roof of the HSBC Branch. I and other members of the Task Force have reviewed surveillance footage of the 45th Street access point to the Alleyway. This footage depicts the following, in substance and in part:

a. At approximately 2:05 p.m. on April 8, 2016, a red Ford Taurus sedan with a sticker on the trunk to the left of the license plate (the "Red Taurus") approached the Alleyway. A white male wearing a black hooded sweatshirt, grey sweatpants, and a light brown Kangol hat, who has since been identified as MICHAEL MAZZARA, the defendant, *see infra* ¶ 14(d), exited the Red Taurus and walked down the Alleyway in the direction of the HSBC Branch.

b. At approximately 2:38 p.m. on April 8, 2016, MAZZARA emerged from the Alleyway on foot and walked along 45th Street until out of view of the surveillance camera. When he came out of the Alleyway, MAZZARA was wearing gloves.

12. I and other members of the Task Force have also reviewed surveillance footage of the front on the HSBC Branch, on 13th Avenue (the "HSBC Footage"). The HSBC Footage depicts the following, in substance and in part:

a. At approximately 10:45 p.m. on April 8, 2016, a black Honda Pilot with black rims on the wheels (the "Black Pilot") pulled up to the front of the HSBC Branch. A man who resembled MICHAEL MAZZARA, the defendant, and a man who resembled CHARLES KERRIGAN, the defendant, got out of the Black Pilot. The man who resembled KERRIGAN took a "Shop-Vac"³ out of the Black Pilot and carried it into the vacant storefront next

² The HSBC Branch has multiple phone lines. The phone lines used by the bank's alarm system were not affected.

³ A "Shop-Vac" is a drum model wet/dry vacuum cleaner.

door to the HSBC Branch. The man who resembled KERRIGAN returned to the Black Pilot and took two tanks, which appeared to be the same size and color as the acetylene tanks that were found on the roof of the HSBC Branch, *see supra* ¶ 10(a), out of the rear of the Black Pilot. The man who resembled KERRIGAN gave the tanks to the man who resembled MAZZARA, who carried them into the vacant storefront next door to the HSBC Branch. The man who resembled MAZZARA carried other items, including a large duffle bag, into the vacant storefront.

b. At approximately 5:24 a.m. on April 9, 2016, the Black Pilot pulled up in front of the HSBC Branch. The man who resembled KERRIGAN and the man who resembled MAZZARA got out of the Black Pilot, raised the gate on the front of the vacant storefront next to the HSBC Branch, placed an item inside the vacant storefront, and then departed in the Black Pilot.

c. At approximately 10:12 p.m. on April 9, 2016, the Black Pilot pulled up in front of the HSBC Branch. The man who resembled KERRIGAN, the man who resembled MAZZARA, and a co-conspirator not named as a defendant herein ("CC-2") got out of the Black Pilot. After the man who resembled MAZZARA and CC-2 entered the vacant storefront next to the HSBC Branch, the man who resembled KERRIGAN lowered the gate behind them. The man who resembled KERRIGAN returned to the Black Pilot and drove away.

d. At approximately 12:47 a.m. on April 10, 2016, a dark colored Nissan Xterra SUV (the "Xterra") parked about one block away from the HSBC Branch and remained there until approximately 5:09 a.m.

e. At approximately 5:01 a.m. on April 10, 2016, the Black Pilot pulled up in front of the HSBC Branch. The man who resembled KERRIGAN got out of the Black Pilot, raised the gate on the front of the vacant storefront next to the HSBC Branch, and returned to the Black Pilot. The Black Pilot then drove away.

f. At approximately 5:09 a.m. on April 10, 2016, the Xterra pulled up to the front of the HSBC Branch. The man who resembled MAZZARA and CC-2 came out of the vacant storefront and made multiple trips between the vacant storefront and the Xterra, carrying heavy bags and a "Shop-Vac." The man who resembled MAZZARA and CC-2 put these items in the back of the Xterra and got inside. The Xterra then drove away.

13. Based on my review of historical cell site information for a cellphone used by MICHAEL MAZZARA, the defendant (the "MAZZARA PHONE"),⁴ my participation in this investigation, and my conversations with other law enforcement personnel, I have learned the following:

a. On or about April 8, 2016, the day that the HSBC Burglary commenced, the MAZZARA PHONE accessed a cell tower positioned about one block away from the HSBC Branch ("Cell Tower-1") at approximately 6:05:23 p.m. and 6:11:50 p.m.

b. On or about April 9, 2016, the MAZZARA PHONE accessed Cell Tower-1 at approximately 8:32:00 p.m.

c. On or about April 9, 2016, the MAZZARA PHONE accessed a cell tower positioned about eight blocks away from the HSBC Branch at approximately 8:32:22 p.m., 8:32:39 p.m., and 8:32:57 p.m.

14. In or around November 2014, in connection with the investigation referenced above, *see supra* ¶ 7, the FBI placed a pole camera across the street from the address in Brooklyn, New York at which MICHAEL MAZZARA and CHARLES KERRIGAN, the defendants, reside (the "Mazzara Residence"). This pole camera is situated in such a way that it also captures the street in front of the adjacent property, which is owned by relatives of MAZZARA (the "Adjacent Property"), and the driveway that runs alongside the Adjacent Property (the "Driveway").⁵ I and other members of the Task Force have reviewed surveillance footage from this pole camera. This footage depicts the following, in substance and in part:

⁴ This cellphone number was obtained from a confidential source ("CS-1"). CS-1 has pending criminal charges brought by New York State authorities. CS-1 was approached by law enforcement agents and began cooperating in the hopes of avoiding prosecution or obtaining a cooperation agreement and more lenient treatment at sentencing. Information that CS-1 has provided about this investigation and other investigations has proven reliable and has been corroborated by independent evidence.

⁵ Based on my participation in this investigation, including my review of documents and reports and of surveillance footage from the pole camera, I have learned MAZZARA uses the Driveway and a garage located behind the Adjacent Property to, among other things, park his vehicles and store items.

a. At approximately 10:30 p.m. on April 4, 2016, a vehicle that appeared to be the Red Taurus⁶ pulled up on the street in front of the Mazzara Residence and the Adjacent Property. At approximately 2:05 a.m. on April 5, 2016, the Red Taurus returned and parked on the street in front of the Mazzara Residence and the Adjacent Property. Three white males stood nearby.

b. At approximately 7:42 p.m. on April 5, 2016, a red Ford F-250 pickup truck (the "Red Pickup")⁷ drove down the Driveway. The Red Pickup had plywood in its bed.

c. At approximately 10:30 p.m. on April 5, 2016, the Red Pickup departed, with MAZZARA driving and with the plywood still in its bed. At approximately 11:25 p.m., the Red Pickup returned; the plywood was no longer in the bed. At approximately 11:28 p.m., the Red Taurus pulled up on the street in front of the Mazzara Residence and the Adjacent Property.

d. At approximately 12:53 p.m. on April 8, 2016, the day that the alarm and telephone wires of the HSBC Branch were cut, *see supra* ¶ 10(b), the Red Pickup pulled into the Driveway. At approximately 1:09 p.m., MAZZARA got into the Red Pickup and drove away. MAZZARA was wearing a black hooded

⁶ Based on the make, model, and color of the vehicle, as well as the placement of the sticker to the left of the license plate, I believe that this vehicle is the Red Taurus seen in surveillance footage of the HSBC Branch, *see supra* ¶ 11(a). Based on my involvement in this investigation, my review of documents, and conversations with other law enforcement agents, I have learned that a red Ford Taurus, New York license plate HDE-6458, is registered to a relative of ANTHONY MASCUZZIO, the defendant. On or about April 22, 2016, an NYPD detective ("Detective-1") conducted surveillance of MASCUZZIO's home and observed a man resembling MASCUZZIO sitting in a red Ford Taurus, New York license plate HDE-6458. Detective-1 also observed that the vehicle in which MASCUZZIO was sitting had a white AAA sticker to the left of the license plate, in the same place as on the Red Taurus.

⁷ Based on my involvement in this investigation, my review of documents, and conversations with other law enforcement agents, I have learned that a red Ford F-250 pickup truck, Pennsylvania license plate RR2-C32, is registered to a relative of MICHAEL MAZZARA, the defendant, and is frequently driven by MAZZARA. It therefore appears that the red Ford F-250 depicted on the pole camera footage is the Red Pickup.

sweatshirt, grey sweatpants, and a light brown Kangol hat. When I compared the footage of MAZZARA outside of the Mazzara Residence with the above-described HSBC Footage, *see supra* ¶ 11(a), it appeared that MAZZARA was the person depicted in the HSBC Footage.

e. At approximately 3:46 p.m. on April 8, 2016, MAZZARA and an individual resembling ANTHONY MASCUZZIO, the defendant, who was wearing a black hooded sweatshirt and a baseball cap stood in front of the Adjacent Property.

f. At approximately 4:35 p.m. on April 8, 2016, a vehicle that appeared to be the Black Pilot⁸ pulled up in front of the Adjacent Property. CHARLES KERRIGAN, the defendant, got out of the Black Pilot and walked towards the backyards of the Mazzara Residence and the Adjacent Property with the individual who resembled MASCUZZIO. When I compared this footage of KERRIGAN with the above-described HSBC Footage, *see supra* ¶¶ 12(a)-(c), (e), it appeared that KERRIGAN was the person depicted in the HSBC Footage.

g. At approximately 5:26 p.m. on April 8, 2016, KERRIGAN and the individual who resembled MASCUZZIO carried a cardboard "Shop-Vac" box from the vicinity of the Adjacent Property and placed the "Shop-Vac" box in the back of the Black Pilot. The Black Pilot departed at approximately 5:34 p.m.

h. At approximately 8:50 p.m. on April 8, 2016, a vehicle that appeared to be the Xterra⁹ parked in the Driveway.

⁸ Based on the make, model, and color of the vehicle, as well as the distinctive rims on the vehicle's wheels, it appears that this vehicle is the Black Pilot. Based on my involvement in this investigation, my review of documents, and conversations with other law enforcement agents, I have learned that, in April and May 2016, a black Honda Pilot, New York license plate GEJ-9996, was registered to CHARLES KERRIGAN, the defendant.

⁹ Based on my involvement in this investigation, my review of documents, and conversations with other law enforcement agents, I have learned that a blue Nissan Xterra, New York license plate GLP-3588, is registered to an individual at the same address as the registration of the Black Pilot. I have also learned that, on April 8, 2016, at approximately 8:25 p.m., a vehicle with that license plate number registered on an NYPD license plate detector on the Brooklyn-bound off-ramp of the Verrazano Bridge, approximately four miles from the Mazzara Residence. Based on the make, model, and color of the vehicle, as well as the license plate hit described above, and the other observations I

i. At approximately 10:15 p.m. on April 8, 2016, KERRIGAN took items out of the Black Pilot, which was parked in the Driveway. The Black Pilot drove away approximately 6 minutes later, at 10:21 p.m., which was approximately 25 minutes before it arrived at the HSBC Branch, see *supra* ¶ 12(a).

j. At approximately 1:58 a.m. on April 9, 2016, the Black Pilot pulled up in front of the Adjacent Property and KERRIGAN got out, carrying an object. The Black Pilot departed approximately fifteen minutes later.

k. At approximately 8:55 p.m. on April 9, 2016, the Black Pilot parked in the Driveway. At approximately 9:35 p.m., the Black Pilot departed, returned approximately 12 minutes later, and then departed again approximately five minutes later, which was about 20 minutes before it again pulled up outside the HSBC Branch, see *supra* ¶ 12(c).

l. At approximately 5:22 a.m. on April 10, 2016, roughly ten minutes after it left the vicinity of the HSBC Branch, see *supra* ¶ 12(f), the Xterra backed into the Driveway. ANTHONY MASCUZZIO, the defendant, and CC-1 stood next to the Xterra talking to each other for approximately 10 minutes. At approximately 6:11 a.m., the Black Pilot pulled up in front of the Mazzara Residence and the Adjacent Property, blocking the Driveway.

m. At approximately 7:07 a.m., on April 10, 2016, KERRIGAN pushed a wheelbarrow between the open rear door of the Xterra and the open door of the garage of the Adjacent Property. Several minutes later, KERRIGAN walked from the Mazzara Residence towards the Xterra and handed CC-1 a small black bag, which CC-1 appeared to place in the Xterra. The Xterra then departed. At approximately 7:24 a.m., the Xterra registered on an NYPD license plate detector on the West-bound Belt Parkway entrance to the Verrazano Bridge, approximately four miles from the Mazzara Residence.

have made of a blue Nissan Xterra in the vicinity of the Mazzara Residence, see, e.g., *infra* ¶ 16(h), n. 12, it appears that the Xterra seen in the HBSC Footage, see *supra* ¶¶ 12(d), (f), and the Xterra depicted in the pole camera footage, see, e.g., ¶¶ 14(g), (l), (m), are the same vehicle and are the vehicle captured by the NYPD license plate reader.

The Maspeth Burglary

15. Based on my involvement in this investigation, my conversations with other law enforcement officers and other individuals, and my training and experience, I have learned the following:

a. Between approximately 9:30 p.m. on May 20, 2016, and 3:00 a.m. on May 22, 2016, the Maspeth Branch was burglarized. An initial investigation revealed that the burglars had cut through the roof of the Maspeth Branch and into the vault. Investigators found grinding wheels and oxygen and acetylene tanks¹⁰ on the roof of the Maspeth Branch, as well as several #8 1 5/8 inch screws, a tarp, and a four-sided plywood structure -- three walls and a roof -- that had been painted black (the "Plywood Structure"). Investigators also found empty safe deposit boxes on the roof, near where the hole had been cut. Based on these items, investigators concluded that the burglars used a torch to cut through the roof and into the vault and had used the Plywood Structure and the tarp to shield themselves from view. Pictures of the roof of the Maspeth Branch in the Maspeth Burglary's aftermath and of the empty safe deposit boxes are attached as Exhibits B and C and are incorporated by reference herein.

b. Two portable fire extinguishers and a ladder that had been spray painted black were found in the vault that had been breached. A five-gallon water jug¹¹ was found in a trashcan next to the Maspeth Branch. When Task Force officers interviewed area-residents, one resident reported that the water jug had not been in the trashcan prior to May 20, 2016.

c. The Maspeth Branch alarm went off at approximately 1:00 a.m. on May 21, 2016. It was reset at approximately 1:20 a.m. on May 21, 2016 and went off again at approximately 2:00 a.m. that morning.

d. Approximately \$296,000 in cash and the contents of safe deposit boxes valued at approximately \$4,340,000, including cash, diamonds, jewelry, coins, and

¹⁰ The labels that were affixed to these tanks indicated that they had been filled at a certain welding supply company located in Brooklyn, New York (the "Welding Supply Company").

¹¹ Based on my training and experience, I know that water is often used when cutting steel or concrete with a grinding wheel or torch in order to keep the cutting area free from smoke and sparks.

baseball cards, were taken from the Maspeth Branch during the burglary.

16. Based on my involvement in this investigation, my review of documents and surveillance footage, and my conversations with other law enforcement officers, I have learned, in substance and in part, that:

a. On May 19, 2016, at approximately 12:23 p.m., MICHAEL MAZZARA, the defendant, purchased among other items, four sheets of plywood, several 2x4 pieces of wood, a gallon can of black paint, a can of black spray paint, an orange roller paint tray, and a box of #8 1 5/8 inch screws from a Home Depot in Brooklyn, New York (the "Home Depot") using MAZZARA's credit card. MAZZARA loaded these items into the Red Pickup and drove out of the Home Depot parking lot.

b. At approximately 12:51 p.m., on May 19, 2016, the Red Pickup parked in front of the Adjacent Property. The Red Pickup had sheets of plywood in its bed. MAZZARA got out of the Red Pickup and carried the plywood, one sheet at a time, to the backyard of the Adjacent Property and propped the plywood sheets up against the garage located next to the Adjacent Property. Several minutes later, MAZZARA removed the paint can and the roller tray from the passenger side area of the Red Pickup.

c. At approximately 2:32 p.m., on May 19, 2016, MAZZARA's credit card was used at the Home Depot to purchase a paint roller handle and a tarp.

d. At approximately 2:50 p.m., on May 19, 2016, MAZZARA used a roller brush to paint the sheets of plywood at 1845 West 10th Street black. Later that night, at approximately 10:13 p.m., MAZZARA placed the four plywood sheets, now painted black, into the bed of the Red Pickup, along with three bundles of 2x4 pieces of wood. Based on my training and experience and my participation in this investigation, these materials appeared consistent with the supplies used to construct the Plywood Structure on the Maspeth Branch's roof, see *supra* ¶15(a), Exhibit B.

e. At approximately 10:25 p.m., on May 19, 2016, ANTHONY MASCUZZIO, the defendant, approached the Mazzara Residence by foot. Approximately two minutes later, MASCUZZIO and MAZZARA got into the Red Pickup and drove away.

f. About two hours later, at approximately 12:41 a.m., on May 20, 2016, the Red Pickup returned to the street in front of the Mazzara Residence. When the Red Pickup returned, its bed was empty.

g. That same day, at approximately 1:15 p.m., the Black Pilot backed onto the sidewalk in front of the Adjacent Property. MAZZARA and CHARLES KERRIGAN, the defendant, loaded three gas tanks into the back of the Black Pilot and drove away. At approximately 2:20 p.m., the Black Pilot arrived at the Welding Supply Company, where the tanks found on the roof of the Maspeth Branch indicated that they had been filed, see *supra* n. 10.

h. On or about May 21, 2016, at approximately 10:29 a.m., the Xterra pulled up in front of the Mazzara Residence and the Adjacent Property and CC-1 got out. The Xterra departed approximately half an hour later, at approximately 10:59 a.m. That same day, at approximately 4:15 p.m., the Xterra pulled up in front of the Mazzara Residence and the Adjacent Property. KERRIGAN, got out of the Xterra and the Xterra drove away.¹²

i. At approximately 5:45 p.m., on May 21, 2016, MAZZARA and MASCUZZIO got into a grey Nissan Altima (the "Grey

¹² Based on my review of surveillance footage from the pole camera, which equipment was replaced on April 21, 2016, I have observed that this vehicle is a blue Nissan Xterra with a New York license plate and that the fourth and fifth characters on this vehicle's license plate are "35." Based on my training and experience, I know that, due to New York State's protocol for issuing license plate numbers, the first character must be either an "F," a "G," or an "H." Based on my observation of the pole camera footage, I believe that the first character of the license plate number is a "G." I have reviewed New York State vehicle registration records and determined that there are five blue Nissan Xterras with license plate numbers that fit these criteria. I have also learned that, on May 21, 2016, at approximately 10:11 a.m., the Xterra registered on an NYPD license plate detector on the East-bound Belt Parkway exit of the Verrazano Bridge, approximately four miles from the Mazzara Residence, and that, that same day, at approximately 4:44 p.m. the Xterra registered on an NYPD license plate detector on the 92nd Street on-ramp to the Verrazano Bridge. It therefore appears that the blue Nissan depicted in the surveillance footage is the Xterra.

Altima"),¹³ in front of the Adjacent Property and drove away. MAZZARA was wearing a grey sweatshirt with a white insignia on the left breast, greenish grey cargo pants, and tan shoes. MASCUZZIO was wearing a blue New York Yankees baseball cap, black shorts with a white vertical stripe, a grey jacket, and black shoes.

j. That same day, at approximately 7:34 p.m., at the Home Depot, MAZZARA and MASCUZZIO purchased two fire extinguishers, similar to the ones found in the Maspeth Branch vault, and a five-gallon bottle of water, similar to the one found in the trashcan next to the Maspeth Branch, *see supra* ¶ 15(b). MAZZARA and MASCUZZIO were wearing the same clothes as described in paragraph 16(g).

k. At approximately 8:33 p.m. on May 21, 2016, the Grey Altima pulled up in front of the Mazzara Residence and the Adjacent Property. MASCUZZIO got out of the Grey Altima and entered the Mazzara Residence. At approximately 9:06 p.m., a Toyota Sienna (the "Sienna") pulled up in front of the Mazzara Residence and the Adjacent Property. CC-1 got out of the Sienna and transferred two unknown items from the Sienna to the Black Pilot, which was parked on the street in front of the Mazzara Residence and the Adjacent Property. At approximately 9:27 p.m., KERRIGAN and MASCUZZIO placed a five-gallon jug of water, similar to that found at the Maspeth Branch, *see supra* ¶ 15(b), into the Black Pilot. MASCUZZIO then placed red bolt cutters into the Black Pilot. CC-1 loaded several cardboard boxes into the Sienna and KERRIGAN placed a white "sprayer" tank¹⁴ into the Black Pilot. At approximately 9:38 p.m., CC-1 appeared to get into the Sienna¹⁵ and drove out of view of the camera. Immediately behind the Sienna, KERRIGAN and MAZZARA got into the Black Pilot and drove out of the view of the camera. MASCUZZIO got into the Grey Altima, pulled it up several feet, and then got out of the Grey Altima and walked out of the view of the camera, towards the Black Pilot and the Sienna.

¹³ The license plate of the Grey Altima, which is visible on surveillance footage, is the same license plate number as the Red Taurus, which was registered to a relative of MASCUZZIO, *see supra* n. 6.

¹⁴ A "sprayer" tank is a container used to hold liquid that can be attached to a pressurized tube and nozzle so that the liquid can be sprayed.

¹⁵ CC-1 and, later, MASCUZZIO walked towards the Sienna in a manner that appeared to me as if they were going to enter it. However, they moved out of the video frame before doing so.

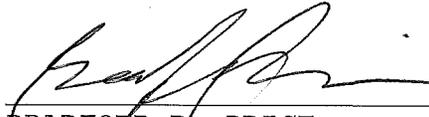
l. On or about May 22, 2016, at approximately 3:05 a.m., the Black Pilot and the Sienna pulled up on the street in front of the Mazzara Residence and the Adjacent Property. MASCUZZIO and MAZZARA got out of the Sienna and CC-1 got out of the Black Pilot.

m. That same day, at approximately 6:21 a.m., MASCUZZIO walked out from the vicinity of the Mazzara Residence, carrying a large olive drab colored duffle bag and a white plastic garbage bag. MASCUZZIO placed the duffle bag on top of the Grey Altima, which was still parked in front of the Adjacent Property, and put the white plastic garbage bag into the trunk of the Grey Altima. CC-1 walked from the vicinity of the Mazzara Residence, carrying a yellowish brown duffle bag and a plastic bag. CC-1 and MASCUZZIO each put a duffle bag in the rear seat of the Black Pilot. MASCUZZIO then got into the Grey Altima and drove away.

n. Approximately five minutes later, CC-1 got into the Black Pilot and drove away. At approximately 6:48 a.m., the Black Pilot registered on an NYPD license plate detector on the 92nd Street on-ramp to the Verrazano Bridge.

17. Based on my review of open source materials, I know that both of the Victim Banks are insured by the Federal Deposit Insurance Corporation and were so insured at the time of the above-described burglaries.

WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of MICHAEL MAZZARA, CHARLES KERRIGAN, and ANTHONY MASCUZZIO, the defendants, and that they be arrested and imprisoned or bailed, as the case may be.



BRADFORD B. PRICE
Special Agent
Federal Bureau of Investigation

Sworn to before me this
22 day of July, 2016



THE HONORABLE SARAH NETBURN
United States Magistrate Judge
Southern District of New York

EXHIBIT A



EXHIBIT B



EXHIBIT C

