

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

MICHAEL ZAYAS,

Defendant.

**26 MAG 206**

**COMPLAINT**

Violation of 18 U.S.C. § 922(g)(1)

COUNTY OF OFFENSE:  
NEW YORK

SOUTHERN DISTRICT OF NEW YORK, ss.:

JOSE GENAO, being duly sworn, deposes and says that he is Task Force Officer with Homeland Security Investigations (“HSI”) and a Detective with the New York City Police Department (“NYPD”), and charges as follows:

**COUNT ONE**

**(Possession of Ammunition After a Felony Conviction)**

1. On or about January 14, 2026, in the Southern District of New York and elsewhere, MICHAEL ZAYAS, the defendant, knowing he had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed ammunition, to wit, ten 9-millimeter cartridge cases, and the ammunition was in and affecting commerce.

(Title 18, United States Code, Section 922(g)(1).)

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

2. I am a task force officer with HSI and a detective with the NYPD. I have worked for the NYPD for approximately 17 years, and I have been a detective for approximately 8 years. In the course of my work for the NYPD, I have participated in multiple investigations of firearms offenses and crimes of violence, including shootings. I have been personally involved in the investigation of this matter.

3. This affidavit is based upon my personal participation in the investigation of this matter, my conversations with law enforcement agents, and my examination of 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.

4. Based on my participation in this investigation, conversations with NYPD officers, and review of surveillance video, NYPD reports, New York Department of Motor Vehicles

records, leasing records, and license plate reader records, I have learned, among other things, the following:

a. On or about January 14, 2026, at approximately 2:42 p.m., NYPD officers responded to reports of multiple shots fired in front of Kelly Playground, located on 17th Street between 8th and 9th Avenues in New York, New York (the “Shooting”).

b. NYPD officers interviewed a bystander witness (“Witness-1”), who stated, in substance and in part, that the shooter (the “Shooter”) was a male wearing tan snow boots, jeans, and a bright blue jacket who fired a gun multiple times in the vicinity of Kelly Playground and then departed.

c. Minutes prior to the Shooting, at approximately 2:37 p.m., an individual matching the description of the Shooter given by Witness-1, that is, a male wearing tan snow boots, jeans, and a bright blue jacket (pictured below)—later identified as MICHAEL ZAYAS, the defendant—entered the elevator on a particular floor of an apartment building in the vicinity of 18th Street and 9th Avenue (the “Chelsea Apartment Building”), located approximately two blocks away from the scene of the Shooting.



*ZAYAS enters the elevator at or around 2:37 p.m.*

d. Once he reached the ground level, ZAYAS left the Chelsea Apartment Building—along with, among others, a male wearing a black parka, black pants, and dark shoes with white soles (“Individual-1”)—walked eastbound on West 17th Street, toward 8th Avenue, and, prior to reaching the location of the Shooting, donned a black mask (pictured below).



*ZAYAS departs the Chelsea Apartment Building with Individual-1*

e. At approximately 2:42 p.m., upon passing Kelly Playground, near the corner of 17th Street and 8th Avenue, ZAYAS stopped, turned toward the playground, fired approximately 10 shots into the air, then fled westbound on 17th Street toward 9th Avenue (pictured below).



*ZAYAS departs the scene of the Shooting, walking westbound on 17th Street*

f. At approximately 2:48 p.m., approximately five minutes after the Shooting, ZAYAS and Individual-1 returned to the Chelsea Apartment Building (pictured below), and took the elevator to what appears to be the same floor from which they had departed at approximately 2:37 p.m. Based on my review of leasing records and conversations with other law enforcement officers, I have learned that a close relative of ZAYAS is a tenant of the Chelsea Apartment Building who resides on the floor from which ZAYAS departed from before the Shooting and appears to have returned to after the Shooting.



*ZAYAS returns to the Chelsea Apartment Building with Individual-1*

g. Approximately twenty minutes later, an individual that appears to be the same size and stature as ZAYAS and wearing what appear to be the same pants and shoes that ZAYAS wore during the Shooting—but not wearing the bright blue jacket that ZAYAS wore during the Shooting—departed from the Chelsea Apartment Building with Individual-1, who had not changed clothes.

h. After exiting the Chelsea Apartment Complex, ZAYAS, Individual-1, and others entered a black Chevrolet SUV, which is registered to a commercial livery car driver (“Witness-2”). According to Witness-2, Witness-2 drove ZAYAS and the others to the vicinity of Nelson Street, between Hicks Street and Hamilton Avenue, in Brooklyn, New York. Based on my review of law enforcement records and an interview with a close associate of ZAYAS’s (“Individual-2”), I have learned that Individual-2 lives at or around the location where ZAYAS was dropped off on Nelson Street.

i. Following the Shooting, NYPD officers conducted a video-recorded interview with an individual who has a close personal relationship with ZAYAS and who saw ZAYAS shortly before and after the Shooting on January 14, 2026 (“Witness-3”). During this interview, the NYPD officers showed Witness-3 a still image of surveillance footage from the day of the Shooting. Witness-3 identified the above-described individual wearing tan snow boots, jeans, and a bright blue jacket on the afternoon of January 14, 2026 as ZAYAS, whom Witness-3 had seen wearing that same attire shortly before and after the Shooting.

j. NYPD canvassed the vicinity of Kelly Playground for evidence and recovered ten 9-millimeter cartridge cases (the “Ammunition”) from a location consistent with the location on surveillance video where the Shooter discharged at least approximately ten rounds.

5. Based on my discussions with a Special Agent from the Bureau of Alcohol, Tobacco, Firearms, and Explosives who is familiar with the manufacture of firearms and

ammunition, and who evaluated the Ammunition, I have learned that the Ammunition was not manufactured in New York State.

6. I reviewed criminal history records pertaining to MICHAEL ZAYAS, the defendant, which show that on or about December 20, 1995, in New York County Supreme Court, ZAYAS was convicted of Robbery in the First Degree, in violation of New York Penal Law § 160.15(4), which is punishable by imprisonment for a term exceeding one year, and for which ZAYAS was sentenced to a term of two to six years' imprisonment.

WHEREFORE, I respectfully request that a warrant be issued for the arrest of MICHAEL ZAYAS, the defendants, and that he be arrested, and imprisoned or bailed, as the case may be.

Jose Genao w/ permission

Jose Genao  
Task Force Officer, Homeland Security Investigations  
Detective, New York City Police Department

Sworn to me through the transmission of  
this Complaint by reliable electronic  
means (telephone), this 23 day of January, 2026.



THE HONORABLE KATHARINE H. PARKER  
United States Magistrate Judge  
Southern District of New York