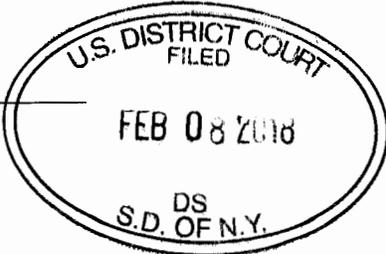


Approved: *Michael K. Krouse*
MICHAEL K. KROUSE
Assistant United States Attorney



Before: HONORABLE STEWART D. AARON
United States Magistrate Judge
Southern District of New York

18 MAG 1061

- - - - -	x	
	:	
UNITED STATES OF AMERICA	:	<u>COMPLAINT</u>
	:	
- v. -	:	Violations of
	:	21 U.S.C. §§ 841(a)(1),
RICKY RIOS, and	:	841(b)(1)(C), and 846;
JEANETTE SANTIAGO, a/k/a "Tuti,"	:	18 U.S.C. § 2
	:	
Defendants.	:	COUNTY OF OFFENSE:
	:	BRONX
- - - - -	x	

SOUTHERN DISTRICT OF NEW YORK, ss.:

CHRISTOPHER R. COOKE, being duly sworn, deposes and says that he is a Task Force Officer with the Drug Enforcement Administration ("DEA"), and charges as follows:

COUNT ONE

1. From at least in or about November 2016 through in or about February 2018, in the Southern District of New York and elsewhere, RICKY RIOS and JEANETTE SANTIAGO, a/k/a "Tuti," the defendants, 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 RICKY RIOS and JEANETTE SANTIAGO, a/k/a "Tuti," the defendants, and others known and unknown, would and did distribute and possess with intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances that RICKY RIOS and JEANETTE SANTIAGO, a/k/a "Tuti," the defendants, conspired to distribute

and possess with the intent to distribute was Oxycodone, in violation of Title 21, United States Code, Section 841(b)(1)(C).

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

COUNT TWO

1. On or about February 7, 2018, in the Southern District of New York and elsewhere, RICKY RIOS and JEANETTE SANTIAGO, a/k/a "Tuti," the defendants, knowingly did distribute and possess with intent to distribute, and aided and abetted the distribution and possession with intent to distribute, a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

2. The controlled substance involved in the offense was Oxycodone, 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); Title 18, United States Code, Section 2.)

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

3. I am a Task Force Officer with the DEA and I have been personally involved in the investigation of this matter. This affidavit is based upon my personal participation in the investigation of this matter, my conversations with law enforcement agents, witnesses, and others, as well as 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. Where figures, calculations, and dates are set forth herein, they are approximate, unless stated otherwise.

4. Based on my participation in this investigation, review of law enforcement reports, physical surveillance, and conversations with other law enforcement officers, I have learned, among other things, the following:

a. On or about November 2, 2016, RICKY RIOS, the defendant, was observed in a surveillance video entering a

building in the Bronx, New York ("Building-1"). At that time, JEANETTE SANTIAGO, a/k/a "Tuti," the defendant, occupied an apartment in Building-1 ("Apartment-1"). At approximately 7:37 p.m. that night, SANTIAGO let RIOS into Apartment-1, and then went to the lobby to meet with an unnamed co-conspirator ("CC-1"). SANTIAGO and CC-1 then returned to Apartment-1. Approximately 20 minutes later, CC-1 left Apartment-1 carrying a blue plastic bag.

b. From in or about November 2016 until in or about June 2017, I identified a pattern of conduct based on physical surveillance, geolocation data, and cellular phone toll records (the "Pattern"). The Pattern generally consisted of RIOS traveling from Connecticut to Apartment-1, where he would meet with SANTIAGO and other unnamed co-conspirators, and then return to Connecticut the same day or night. For example:

i. On or about March 22, 2017, at approximately 3:27 p.m., RIOS entered Apartment-1 carrying a blue duffle bag ("Bag-1"). Approximately seven minutes later, RIOS left Apartment-1 carrying Bag-1. At approximately 7:47 p.m., an unnamed co-conspirator ("CC-2") entered Apartment-1. Approximately three minutes later, CC-2 and SANTIAGO exited Apartment-1. SANTIAGO was carrying a yellow plastic bag that she threw in the garbage chute. CC-2 drove away and SANTIAGO returned to Apartment-1. At approximately 8:13 p.m., RIOS re-entered Apartment-1 with a black bag ("Bag-2"), exited approximately 12 minutes later carrying what appeared to be Bag-2, and then drove away. Based on my review of phone records from this date, I learned that RIOS had approximately 19 contacts with CC-2 and five contacts with SANTIAGO.

ii. On or about April 24, 2017, at approximately 3:47 p.m., RIOS entered Apartment-1 carrying what appeared to be Bag-2. RIOS remained inside for approximately nine minutes before exiting Apartment-1 with what appeared to be Bag-2. RIOS returned to his car and drove away. Based on my review of phone records from this date, I learned that RIOS had approximately two contacts with CC-2.

c. In or about June 2017, SANTIAGO moved from Apartment-1 to a different apartment ("Apartment-2") within a different apartment building ("Building-2") located in the Bronx. From in or about November 2017 to in or about February 2018, the Pattern continued. For example:

i. On or about November 20, 2017, at approximately 9:43 p.m., RIOS drove a blue SUV (the "SUV") to Building-2. After parking the SUV, RIOS entered Apartment-2 carrying what appeared to be Bag-2. Approximately five minutes later, SANTIAGO left Apartment-2 and entered the SUV. At approximately 9:59 p.m., another car ("Car-1") arrived at Building-2 and parked next to the SUV. SANTIAGO exited the SUV and entered Car-1. Approximately three minutes later, SANTIAGO exited Car-1 and returned to Apartment-2. At approximately 10:16 p.m., RIOS left Apartment-2 carrying what appeared to be Bag-2, returned to the SUV, and drove away. Based on my participation in this investigation, it appears that Car-1 belongs to an unnamed co-conspirator ("CC-3").

ii. On or about December 5, 2017, at approximately 4:07 p.m., RIOS entered Apartment-2 carrying what appeared to be Bag-2. At approximately 6:20 p.m., SANTIAGO left Apartment-2 and entered Car-1, which had again parked in front of Building-2. Approximately eight minutes later, SANTIAGO exited Car-1 and returned to Apartment-2. Based on my review of phone records from this date, I learned that SANTIAGO had several contacts with a number associated with CC-3 before Car-1 arrived.

iii. On or about January 22, 2017, at approximately 8:45 p.m., RIOS entered Apartment-2 carrying what appeared to be Bag-2. Approximately two hours later, RIOS left Apartment-2 carrying what appeared to be Bag-2.

5. On or about November 16, 2017, an unnamed co-conspirator ("CC-4") was arrested for selling several hundred Oxycodone pills to a confidential source. CC-4 was ordered detained by the Honorable Kevin Nathaniel Fox, United States Magistrate Judge for the Southern District of New York. CC-4's cellular phones were seized in connection with his arrest and searched pursuant to search warrants. Based on my review of reports related to the execution of the search warrants on CC-4's phones, I have learned the following:

a. RIOS's number is listed in CC-4's Samsung Galaxy phone as "Rki." On or about July 8, 2017, at approximately 10:32 p.m., RIOS sent CC-4 the following message: "Call me when you ready to work." Based on my experience and participation in this investigation, I know that "work" is a term commonly used by narcotics traffickers to describe the sale of narcotics.

b. On or about September 12, 2017, at approximately 6:07 p.m., RIOS sent CC-4 a message containing the address of Apartment-1, which is where SANTIAGO lived until in or about June 2017. The same day, at approximately 6:58 p.m., RIOS sent CC-4 a message containing the address of Apartment-2, which is where SANTIAGO lived after in or about June 2017. Based on my participation in this investigation, it appears that RIOS sent CC-4 an address where he wanted to meet, but that he used an old address (for Apartment-1). RIOS then appears to correct himself about 50 minutes later by sending CC-4 the new address (for Apartment-2).

c. On or about October 16, 2017, at approximately 12:16 p.m., RIOS sent CC-4 the following message: "Wake up time to go to work." As stated above, I have learned that "work" is a term commonly used by narcotics traffickers to describe the sale of narcotics.

d. On or about October 17, 2017, at approximately 10:54 p.m., RIOS sent CC-4 the following message: "Hay it's 615." Based on my experience and participation in this investigation, I believe that 615 is a coded reference for \$1,200, which is obtained by adding all three individual numbers - *i.e.*, $6+1+5 = 12$.

e. On or about October 17, 2017, at approximately 10:57 p.m., RIOS sent CC-4 the following message: "And 100 = 715." Based on my experience and participation in this investigation, I believe that 100 is in reference to a quantity of 100 Oxycodone pills, and 715 is believed to be a coded reference for \$1,300, which is obtained by adding all three individual numbers - *i.e.*, $7+1+5 = 13$.

f. On or about October 18, 2017, at approximately 3:15 p.m., RIOS sent CC-4 the following message: "Hay on my way to you." Based on my review of location data obtained from RIOS's cellular phone, it appears that RIOS traveled to CC-4's residence between approximately 7:38 p.m. and 8:13 p.m.

g. On or about December 28, 2017, at approximately 10:57 p.m., RIOS sent CC-4 the following message: "Hay what happened you didn't finish working." As stated above, CC-4 was arrested on November 16, 2017 and ordered detained. Based on my participation in this investigation, it appears that RIOS was not aware of CC-4's arrest, and was therefore asking CC-4 why he had not "finish[ed]" selling narcotics.

6. On or about January 30, 2018, the Honorable Kevin Nathaniel Fox, United States Magistrate Judge for the Southern District of New York, issued a Search Warrant for Apartment-2 (the "Search Warrant"), and a Warrant and Order for prospective location information for phones associated with RICKY RIOS, the defendant, and CC-3.

7. On or about February 7, 2018, geolocation data from the phone associated with RICKY RIOS, the defendant, showed that RIOS was traveling from Connecticut to the Bronx. I and other law enforcement agents commenced physical surveillance in the vicinity of Building-2, and observed the following:

a. At approximately 6:24 p.m., RIOS arrived at Building-2 and parked his car ("Car-2"). RIOS entered Apartment-1 carrying what appeared to be Bag-2. Approximately 20 minutes later, RIOS exited Building-2 without Bag-2 and drove away in Car-2. I and other law enforcement agents continued physical surveillance on Building-2. At approximately 7:34 p.m., RIOS returned to Building-2 in Car-2 and entered Apartment-2.

b. At approximately 8:55 p.m., an unknown vehicle parked in front of Building-2 ("Car-3"). Based on geolocation data from the phone associated with CC-3, it appears that CC-3 was one of the occupants of Car-3. Shortly thereafter, SANTIAGO exited Building-2 and engaged in a brief conversation with the occupants of Car-3. About one minute later, SANTIAGO re-entered Building-2 and Car-3 stayed parked in the same location. At approximately 9:33 p.m., SANTIAGO exited Building-2 again, this time carrying a transparent plastic bag with what appeared to be a black square-shaped object inside the bag ("Bag-3"). SANTIAGO gave Bag-3 to the occupants of Car-3 and returned to Apartment-2. Car-3 drove away. Based on the appearance of the black square-shaped object, and on my training and experience, it appears that Bag-3 contained bundled currency.

c. At approximately 9:40 p.m., RIOS exited Building-2 with Bag-2, entered Car-2, and drove away. As RIOS was leaving the parking lot, Car-2 failed to signal a right turn. I stopped Car-2 at approximately 9:45 p.m. RIOS gave consent to search Car-2 and Bag-2. Inside Bag-2 were nine individual zip lock bags. Each zip lock bag contained approximately 100 pills. Based on my training and experience, it appears that the pills were packaged for distribution. Based on the distinctive markings on the pills, and on my training and

experience, it appears that all 900 pills are 30-milligram Oxycodone pills.¹ RIOS was then placed under arrest.

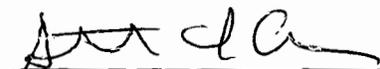
d. At approximately 9:55 p.m., I and other law enforcement officers searched Apartment-2 pursuant to the Search Warrant. Inside Apartment-2, we recovered an empty 30-milligram Oxycodone pill bottle prescribed to a person other than SANTIAGO. We also recovered drug paraphernalia, such as plastic twist bags, from the garbage can in the kitchen, and \$1,000 in currency from the jacket that SANTIAGO wore when she met with Car-3 in the parking lot. Finally, in the bedroom that SANTIAGO appeared to occupy, we recovered what appears to be a drug ledger containing the names of several unnamed co-conspirators associated with this investigation. SANTIAGO was then placed under arrest.

WHEREFORE, I respectfully request that RICKY RIOS and JEANETTE SANTIAGO, a/k/a "Tuti," the defendants, be imprisoned, or bailed, as the case may be.



Christopher R. Cooke
Task Force Officer
Drug Enforcement Administration

Sworn to before me this
February 8, 2018



THE HONORABLE STEWART D. AARON
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK

¹ Based on my training and experience, 30-milligram Oxycodone pills are illegally sold for approximately \$30-\$40 per pill. Accordingly, the 900 pills seized from RIOS have an estimated street value of approximately \$27,000 to \$36,000.