

Approved: David R. Felton
DAVID R. FELTON
Assistant United States Attorney

Before: HONORABLE PAUL E. DAVISON
United States Magistrate Judge
Southern District of New York

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	<u>COMPLAINT</u>
UNITED STATES OF AMERICA	:	
	:	Violations of 18 U.S.C.
- v. -	:	§ 2119 and 2
	:	
SAMIR SULLIVAN,	:	COUNTIES OF OFFENSE:
a/k/a "S,"	:	WESTCHESTER, BRONX
	:	
Defendant.	:	18m10272
	X	

ORIGINAL

SOUTHERN DISTRICT OF NEW YORK, ss.:

Mark J. Vere, 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

1. On or about November 25, 2018, in the Southern District of New York, SAMIR SULLIVAN, a/k/a "S," the defendant, and another individual ("CC-1"), with the intent to cause death and serious bodily harm, knowingly took a motor vehicle that had been transported, shipped, and received in interstate and foreign commerce from the person and presence of another by force and violence and by intimidation, to wit, at or about 2:15 a.m., SULLIVAN and CC-1 entered a cab at a motel in or around the Bronx, New York, and committed an armed carjacking after the cab reached its point of destination on or around Farrell Avenue in Mt. Vernon, New York.

(Title 18, United States Code, Sections 2119 and 2.)

COUNT TWO

2. On or about November 29, 2018, in the Southern District of New York, SAMIR SULLIVAN, a/k/a "S," the defendant, and CC-1 and others unknown, with the intent to cause death and serious bodily harm, knowingly took a motor vehicle that had been transported, shipped, and received in interstate and foreign commerce from the person and presence of another by force and violence and by intimidation, to wit, after a cab was ordered to an address on or around Seneca Avenue in Mt. Vernon, New York, SULLIVAN, CC-1, and others unknown, entered the cab and committed an armed carjacking.

(Title 18, United States Code, Sections 2119 and 2.)

COUNT THREE

3. On or about November 29, 2018, in the Southern District of New York, SAMIR SULLIVAN, a/k/a "S," the defendant, and CC-1, with the intent to cause death and serious bodily harm, knowingly took a motor vehicle that had been transported, shipped, and received in interstate and foreign commerce from the person and presence of another by force and violence and by intimidation, to wit, after a cab was ordered to an address on or around Seneca Avenue in Mt. Vernon, New York, SULLIVAN and CC-1 entered the cab and committed an armed carjacking after the cab reached its point of destination in or around Mt. Vernon, New York.

(Title 18, United States Code, Sections 2119 and 2.)

COUNT FOUR

4. On or about November 29, 2018, in the Southern District of New York, SAMIR SULLIVAN, a/k/a "S," the defendant, and CC-1, with the intent to cause death and serious bodily harm, knowingly took a motor vehicle that had been transported, shipped, and received in interstate and foreign commerce from the person and presence of another by force and violence and by intimidation, to wit, SULLIVAN and CC-1 hailed and entered a cab on or around Dyre Avenue in the Bronx, New York and committed an armed carjacking after the cab reached an intersection on or around Farrell Avenue in Mt. Vernon, New York.

(Title 18, United States Code, Sections 2119 and 2.)

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

5. I am a Special Agent with the FBI. I have participated in investigations of motor vehicle theft and robberies and, among other things, have conducted or participated in surveillance, the execution of search warrants, debriefings of informants, and have participated in investigations that utilized cellphone location information in conjunction with physical surveillance and other investigative techniques. This affidavit is based upon my personal participation in the investigation of this matter, as well as on my conversations with other law enforcement officers and my examination of documents, reports, records, images, and video evidence. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts I have learned during the investigation. Where the contents of documents or the actions, statements, or conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

Overview

6. From on or about November 25, 2018 to on or about November 29, 2018, there have been at least four armed carjackings in or around Mt. Vernon, New York. I have been investigating this matter along with other law enforcement, including the Mt. Vernon Police Department. During a Mt. Vernon Police Department interview of CC-1, on or about December 4, 2018, CC-1 voluntarily admitted that CC-1 and SAMIR SULLIVAN, a/k/a "S," the defendant, committed all four armed carjackings. Additionally, victim photograph identifications independently place SULLIVAN at the scene of two of the four carjackings and surveillance footage places SULLIVAN at a third.

Investigation

7. I know, from discussions with a Detective in the Mt. Vernon Police Department ("Detective-1"), my review of Mt. Vernon Police Department reports from on or about November 25, 2018 and on or about November 29, 2018, and an interview of CC-1 on or about December 4, 2018 by a Detective in the Mt. Vernon Police Department ("Detective-2"), the following information, in substance and in part:

The First Carjacking

a. At or about 2:15 a.m. on or about November 25, 2018, SAMIR SULLIVAN, a/k/a "S," the defendant, and CC-1 entered a cab (the "First Cab") at a motel in or around the Bronx, New York ("Motel-1"). After the First Cab reached its destination on or

around Farrell Avenue in Mt. Vernon, New York, SULLIVAN left the First Cab while CC-1 remained in the First Cab. SULLIVAN then returned to the front passenger side of the First Cab, displayed a firearm, pointed the firearm at the driver, took control of the First Cab, and drove away. The driver complied and left the First Cab. The driver's wallet, with approximately \$400 in cash and debit cards, remained in the First Cab.

The Second Carjacking

b. Before 4:30 a.m. on or about November 29, 2018, a cellphone called a cab company ("Cab Company-1") to order a cab (the "Second Cab") to an address on or around Seneca Avenue in Mt. Vernon, New York. An employee of Cab Company-1 told Detective-1 that a person using the cellphone ordered the Second Cab.

c. After the Second Cab arrived at the address on or around Seneca Avenue in Mt. Vernon, New York, SAMIR SULLIVAN, a/k/a "S," the defendant, CC-1, and an unknown third passenger, entered the Second Cab.

d. After the Second Cab started driving, SULLIVAN displayed a firearm, pointed the firearm at the driver ("Victim-1"), robbed Victim-1 of approximately \$80 in cash, took control of the Second Cab, and ordered Victim-1 to leave the Second Cab. The driver complied and left the Second Cab.

e. Later in the morning on or about November 29, 2018, the Second Cab was found abandoned in or around Mt. Vernon, New York.

The Third Carjacking

f. Also on or about November 29, 2018, a call was placed from a second cellphone to a second cab company ("Cab Company-2") to order a third cab (the "Third Cab") to a nearby address on or around Seneca Avenue in Mt. Vernon, New York. An employee of Cab Company-2 told Detective-1 that a person using the second cellphone ordered the Third Cab.

g. After the Third Cab arrived at the address on or around Seneca Avenue in Mt. Vernon, New York, SAMIR SULLIVAN, a/k/a "S," the defendant, and CC-1 entered the Third Cab.

h. Following a stop at a gas station ("Gas Station-1"), the Third Cab reached its point of destination in or around Mt. Vernon, New York. At that point, a passenger in the Third

Cab, while pretending to render payment, displayed a firearm, pointed the firearm at the driver, robbed Victim-1 of his wallet, \$210 in cash, and his cellular phone, took control of the Third Cab, and ordered the driver to leave the Third Cab. The driver complied and left the Third Cab. This incident occurred at or around 5:30 a.m.

i. Later in the day on or about November 29, 2018, the Third Cab was found abandoned in or around the Bronx, New York.

The Fourth Carjacking

j. Additionally, on or about November 29, 2018, a fourth armed carjacking of a cab occurred after SAMIR SULLIVAN, a/k/a "S," the defendant, and CC-1 hailed and entered a cab (the "Fourth Cab") on or around Dyre Avenue in the Bronx, New York. After the Fourth Cab reached an intersection on or around Farrell Avenue in Mt. Vernon, New York, a passenger in the Fourth Cab displayed a firearm, pointed the firearm at the driver ("Victim-2"), took control of the Fourth Cab, and ordered Victim-2 to leave the Fourth Cab. Victim-2 complied and left the Fourth Cab.

k. Later in the day on or about November 29, 2018, the Fourth Cab was found abandoned in or around the Bronx, New York.

8. I am aware that none of the stolen cabs, i.e., the First Cab, Second Cab, Third Cab, or Fourth Cab, were manufactured in the State of New York.

December 4, 2018 Interview of CC-1

9. Based on my participation in this investigation, and on information obtained from a voluntary interview Detective-2 conducted of CC-1 on or about December 4, 2018 (the "Interview"), I know, among other things, the following:

a. On or about December 4, 2018, Detective-2 interviewed CC-1. At the outset of the interview, Detective-2 informed CC-1 of CC-1's *Miranda* rights. CC-1 acknowledged that CC-1 understood CC-1's *Miranda* rights. CC-1 proceeded to make the following voluntary statements, among others, in substance and in part:

i. From on or about November 25, 2018 to on or about November 29, 2018, CC-1 and SAMIR SULLIVAN, a/k/a "S," the defendant, committed four armed carjackings in or around Mt. Vernon, New York.

- ii. CC-1 was shown a photo array that contained a photograph of SAMIR SULLIVAN, a/k/a "S," the defendant, and CC-1 positively identified SULLIVAN as the individual who committed the four armed carjackings in or around Mt. Vernon, New York with CC-1.

Identifications

10. I know, from discussions with Detective-1, in substance and in part, the following:

a. On or about November 29, 2018, a Mt. Vernon Police Department officer not involved in the carjacking investigation showed Victim-2 a photo array that contained a photograph of SAMIR SULLIVAN, a/k/a "S," the defendant, and Victim-2 positively identified SULLIVAN as one of the passengers who stole the Fourth Cab.¹

b. Though on or about November 29, 2018, a Mt. Vernon Police Department officer not involved in the carjacking investigation showed Victim-1 a photo array that contained a photograph of SAMIR SULLIVAN, a/k/a "S," the defendant, and Victim-1 did not identify SULLIVAN as one of the passengers who stole the Second Cab, the next day, on or about November 30, 2018, a Mt. Vernon Police Department officer not involved in the carjacking investigation showed Victim-1 a photo array that contained a photograph of SULLIVAN and Victim-1 positively identified SULLIVAN as one of the passengers who stole the Second Cab.²

Video Surveillance Footage

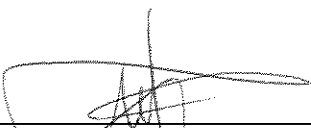
11. I have reviewed a photograph of SAMIR SULLIVAN, a/k/a "S," the defendant, on file with the Mt. Vernon Police Department. I have further reviewed surveillance footage of Gas Station-1 from

¹ On or about November 30, 2018, a Mt. Vernon Police Department officer not involved in the carjacking investigation showed Victim-2 a photo array that did not contain a photograph of CC-1. Victim-2 mistakenly identified an individual who resembled CC-1 as one of the passengers who stole the Fourth Cab.

² On or about November 30, 2018, a Mt. Vernon Police Department officer not involved in the carjacking investigation showed Victim-1 a photo array that did not contain a photograph of CC-1. Victim-1 mistakenly identified an individual who resembled CC-1 as one of the passengers who stole the Second Cab.


the early morning hours of on or about November 29, 2018. Based on my participation in this investigation and a comparison of the Mt. Vernon Police Department photograph with the Gas Station-1 surveillance video, I believe that the Gas Station-1 surveillance video places SULLIVAN at Gas Station-1 at or about the time of the Third Carjacking in the early morning hours of on or about November 29, 2018.

WHEREFORE, the deponent respectfully requests that SAMIR SULLIVAN, a/k/a "S," the defendant, be imprisoned or bailed, as the case may be.



MARK J. VERE
Special Agent
Federal Bureau of Investigation

Sworn to before me this
4th day of December, 2018



HONORABLE PAUL E. DAVISON
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK