

Approved: AWJ
ANDREW W. JONES
Assistant United States Attorney

Before: THE HONORABLE BARBARA MOSES
United States Magistrate Judge
Southern District of New York

20 MAG 10733

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UNITED STATES OF AMERICA : COMPLAINT

- v. -

: Violation of
18 U.S.C. § 922(g) (1)

JEMFFORD PEREZ,

:
COUNTY OF OFFENSE:

Defendant.

: NEW YORK

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SOUTHERN DISTRICT OF NEW YORK, ss.:

DANIEL ALESSANDRINO, being duly sworn, deposes and says that he is a Detective with the New York City Police Department ("NYPD"), and charges as follows:

COUNT ONE

1. On or about September 27, 2020, in the Southern District of New York and elsewhere, JEMFFORD PEREZ, the defendant, knowing he had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess ammunition, to wit, four .40 caliber bullets, 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 charge are, in part, as follows:

2. I am a Detective with the NYPD, 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, 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.

3. Based on my participation in the investigation, including discussions with other NYPD detectives, members of the United States Marshals Service, United States Probation Officers, and other law enforcement officers involved in the investigation the arrest of JEMFFORD PEREZ, the defendant, and my review of surveillance video, I have learned, among other things, the following:

a. On or about September 27, 2020, at approximately 4:23 p.m., an individual later identified as PEREZ, and another individual ("CC-1"), arrived in the vicinity of 155 Franklin Street in Manhattan.

b. At approximately 4:53 p.m. a dark BMW parked on the south side of Franklin Street near 155 Franklin Street. The vehicle parked approximately 60 feet west of where PEREZ and CC-1 were located. The driver (the "Victim") exited the BMW and walked west towards Hudson Street. Around 4:56 p.m. the Victim returned to the parked BMW.

c. At approximately 4:56 p.m., PEREZ and CC-1 crossed to the north side of Franklin Street and moved behind a parked vehicle. PEREZ placed a medical-type mask over his lower face. CC-1 handed an item to PEREZ, which PEREZ placed in the waistband of his jeans.

d. PEREZ and CC-1 then moved back across Franklin Street in the direction of the Victim and the BMW. As he came within several feet of the Victim, PEREZ raised what appeared to be a handgun in his right hand and fired four shots at the Victim. All four shots appear to have missed the Victim. PEREZ and CC-1 then fled east on Franklin Street, first on foot and later in a black Mercedes.

4. Based on my involvement in a prior criminal matter involving JEMMFORD PEREZ, the defendant, and my review of surveillance video, I recognize the individual in the video described in paragraph 3 above, who appears to have fired four shots at the VICTIM, as PEREZ. I have also shown the surveillance video to PEREZ's United States Probation Officer, who has confirmed that the individual depicted in the video appears to be PEREZ.

5. Based on my involvement in the investigation, and my discussion with an agent affiliated with the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF"), I know that NYPD officers recovered four Smith & Wesson .40 caliber shell casings from the scene of the shooting described above. An ATF analysis has determined that three of the shell casings recovered from the scene were manufactured in the state of Idaho and one was manufactured in the state of Arkansas.

6. Based on my review of the criminal history of JEMMFORD PEREZ, the defendant, as well as my personal involvement in the investigation that led to the below-referenced conviction, I know that on or about May 5, 2020, PEREZ was previously convicted in the United States District Court for the Southern District of New York of conspiracy to commit bank fraud, in violation of 18 U.S.C. § 1349, an offense that is punishable by imprisonment for more than one year.

WHEREFORE, deponent respectfully requests that JEMMFORD PEREZ, the defendant, be imprisoned or bailed, as the case may be.

Detective Daniel Alessandrino
New York City Police Department

Sworn to before me this
7th day of October, 2020

THE HONORABLE BARBARA MOSES
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK