

*Benjamin W. Schrier*

Approved: \_\_\_\_\_

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Before: HONORABLE DEBRA FREEMAN  
United States Magistrate Judge  
Southern District of New York

**21 MAG 925**

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 UNITED STATES OF AMERICA : COMPLAINT  
 :  
 - v. - : Violations of 21 U.S.C.  
 : § 846, 18 U.S.C.  
 JOSEPH SWEENEY, : §§ 924(c), 2  
 JASMINE TABAK, and :  
 KEVIN TURNER, :  
 a/k/a "Tex," : COUNTIES OF OFFENSE:  
 : MANHATTAN, BRONX  
 :  
 Defendants. :  
 - - - - - X

SOUTHERN DISTRICT OF NEW YORK, ss.:

JAMES JOHNSON, being duly sworn, deposes and says that he is a Task Force Officer with the Federal Bureau of Investigation, and charges as follows:

**COUNT ONE**  
(Narcotics Conspiracy)

1. From at least in or about 2020, up to and including in or about January 2021, in the Southern District of New York and elsewhere, JOSEPH SWEENEY, JASMINE TABAK, and KEVIN TURNER, a/k/a "Tex," 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 JOSEPH SWEENEY, JASMINE TABAK, and KEVIN TURNER, a/k/a "Tex," the defendants, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance that JOSEPH SWEENEY, JASMINE TABAK, and KEVIN TURNER, a/k/a "Tex," the defendants, conspired to distribute and possess with intent to distribute was 500 grams and more of mixtures and substances containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United States Code, Section 841(b)(1)(A).

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

**COUNT TWO**  
(Firearms Offense)

4. On or about November 23, 2020, in the Southern District of New York and elsewhere, JOSEPH SWEENEY, the defendant, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the narcotics conspiracy charged in Count One of this Complaint, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm.

(Title 18, United States Code, Sections 924(c) and 2.)

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

5. I am a Task Force Officer with the Federal Bureau of Investigation. I have been personally involved in the investigation of this matter. This Affidavit is based upon my personal participation in the investigation, my examination of reports and records, and my conversations with other law enforcement agents and other individuals. Because this Affidavit is being submitted for the limited purpose of demonstrating 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.

6. Based on my participation in this investigation, including my conversations with other law enforcement officers and a confidential source, as described below; my review of recorded communications, including phone calls and text messages, between the defendants and others, including undercover law enforcement officers, as described below; my review of law enforcement reports and records; and my training

and experience, I have learned the following, in substance and in part:

a. Since at least in or about December 2019, law enforcement has been investigating certain individuals (the "Target Subjects") suspected of engaging in narcotics trafficking and prostitution-related offenses in and around Manhattan and Suffolk County, New York, among other locations. In particular, the Target Subjects are suspected of trafficking large quantities of methamphetamine, at least some of which they obtain from suppliers in Manhattan. The Target Subjects are further suspected of promoting prostitution, and causing prostitutes working for them to sell methamphetamine to their prostitution clients.

b. On or about November 6, 2020, pursuant to a lawfully issued search warrant, law enforcement seized a parcel ("Parcel-1") that had been shipped from an address in or around Newport Beach, California, and which was addressed to JASMINE TABAK, the defendant, at an address in Bayport, New York (the "Bayport Address") that is associated with TABAK and JOSEPH SWEENEY, the defendant, in law enforcement reports and records, and as described below. During a subsequent search of Parcel-1, law enforcement found approximately 1.4 kilograms of a substance that later field-tested positive for methamphetamine.

c. On or about November 23, 2020, law enforcement conducting surveillance observed SWEENEY engage in what appeared to be a hand-to-hand narcotics sale at a gas station in Suffolk County. Law enforcement arrested SWEENEY shortly thereafter. In connection with SWEENEY's arrest, law enforcement seized at least approximately 50 grams of a substance that later field-tested positive for methamphetamine, as well as a loaded .38 caliber revolver ("Firearm-1"). Following his arrest, SWEENEY waived his *Miranda* rights and agreed to speak with law enforcement. SWEENEY subsequently signed a written statement in which he admitted, in sum and substance, that he had been trafficking methamphetamine for approximately two years, and that he had purchased Firearm-1 for his protection. SWEENEY also listed the Bayport Address as his home address.

d. Between on or about August 31, 2020 and January 14, 2021, on approximately nine different occasions, KEVIN TURNER, the defendant, sold a total of at least approximately 50 grams of substances that later field-tested positive for methamphetamine to a male individual ("UC-1") and a female individual ("UC-2") who, unbeknownst to TURNER, were

undercover law enforcement officers with the Suffolk County Police Department. The foregoing sales were recorded by audio and video recording devices worn by UC-1 and UC-2.

e. During the time period that encompasses the foregoing sales, TURNER and UC-2 engaged in various communications regarding the Southern District of New York. For example, on or about September 16, 2020, TURNER and UC-2 participated in a recorded phone call. During the call, TURNER stated, in sum and substance, that he was physically located in Manhattan. Shortly thereafter, TURNER stated, in sum and substance, that he was exploring the possibility of starting a trucking business; that the purpose of the business would be to transport narcotics; and that TURNER wanted UC-2 to work with him in the business, including by riding as a passenger in the trucks while concealing narcotics on her person. Additionally, on or about November 17, 2020, TURNER and UC-2 participated in another recorded phone call. During the call, UC-2 was physically located in the Southern District of New York. UC-2 stated, in sum and substance, that UC-2 was located in Manhattan; that UC-2 was there working as a prostitute or escort; and that UC-2 was selling methamphetamine to UC-2's prostitution or escort clients. UC-2 asked TURNER, in sum and substance, how much methamphetamine UC-2 would have to buy for it be worthwhile for TURNER to transport the methamphetamine to UC-2 in Manhattan. TURNER responded, in sum and substance, that UC-2 would have to buy \$1000 of methamphetamine. Ultimately, TURNER did not travel to the Southern District of New York to sell methamphetamine to UC-2, but TURNER sold approximately 20 grams of methamphetamine to UC-2 approximately three days later, on or about November 20, 2020, as a result of the phone call that TURNER and UC-2 had had on or about November 17, 2020. The foregoing sale was recorded by audio and video recording devices worn by UC-2.

f. On or about January 5, 2021, at the direction of law enforcement, a witness who has been cooperating with law enforcement ("CW-1")<sup>1</sup> bought from TURNER at least

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<sup>1</sup> CW-1 has been cooperating with law enforcement since in or about December 2020, after CW-1 was charged with a federal narcotics offense, in the hope of receiving a charging or sentencing benefit. Information provided by CW-1 has been deemed credible and reliable, and has been corroborated through independent means, including recorded communications, audio and video recordings, law enforcement surveillance, physical evidence, and information provided by other witnesses. Law enforcement believes that, since CW-1 began cooperating with law

approximately several grams of a substance that later field-tested positive for methamphetamine. TURNER and CW-1 drove to the Bayport Address in TURNER's vehicle, and parked outside. TURNER stated to CW-1, in sum and substance, that TURNER had to go inside the Bayport Address to obtain from SWEENEY the methamphetamine that he was going to sell to CW-1. TURNER then exited the vehicle, entered the Bayport Address, returned to the vehicle, and gave the methamphetamine to CW-1. While TURNER and CW-1 were parked at the Bayport Address, TURNER directed CW-1's attention to a large, white, tent-like structure on the property (the "Tent"), and stated, in sum and substance, that SWEENEY manufactures methamphetamine in the Tent. The foregoing sale was recorded by audio and video recording devices worn by CW-1.

g. On or about January 12, 2021, at the direction of law enforcement, CW-1 purchased from TURNER at least approximately several grams of a substance that later field-tested positive for methamphetamine. TURNER and CW-1 drove to a particular hotel ("Hotel-1") in Suffolk County in different vehicles, and parked outside. TURNER stated to CW-1, in sum and substance, that TURNER had to go inside Hotel-1 to obtain from TABAK the methamphetamine that he was going to sell to CW-1. TURNER then exited the vehicle, entered Hotel-1, exited Hotel-1, and gave the methamphetamine to CW-1. The foregoing sale was recorded by audio and video recording devices worn by CW-1. Shortly before TURNER and CW-1 traveled to Hotel-1, TURNER stated, in sum and substance, that TURNER had learned from SWEENEY that the first two batches of methamphetamine that SWEENEY had manufactured in the Tent were good, but not sellable, and that SWEENEY was making additional efforts to manufacture sellable methamphetamine in the Tent.

h. On or about January 13, 2021, at the direction of law enforcement, a confidential source ("CS-1")<sup>2</sup> working with law enforcement, who had a pre-existing

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enforcement, CW-1 may have engaged in the unauthorized sale, purchase, or use of narcotics.

<sup>2</sup> CS-1 has been working with law enforcement since in or about January 2021. Charges for the aggravated unlicensed operation of a motor vehicle, and for operating a motor vehicle while impaired by narcotics, are currently pending against CS-1 in state court. Information provided by CS-1 has been deemed credible and reliable, and has been corroborated through independent means, including recorded communications, audio and video recordings, law enforcement surveillance, physical evidence, and information provided by other witnesses.

relationship with TABAK and SWEENEY, engaged in a series of communications with TABAK and SWEENEY regarding CS-1's interest in buying methamphetamine from them. CS-1 was physically located in the Southern District of New York during the foregoing communications. Through text messages, CS-1 stated to TABAK, in sum and substance, that CS-1 was in Manhattan, and that CS-1 was interested in buying methamphetamine from TABAK and SWEENEY. Shortly thereafter, SWEENEY and CS-1 participated in a recorded phone call. CS-1 stated to SWEENEY, in sum and substance, that CS-1 was in Manhattan, and asked SWEENEY if he would travel to Manhattan and sell methamphetamine to CS-1 there. SWEENEY stated, in sum and substance, that he would not travel to Manhattan, but that if CS-1 traveled to in or around Suffolk County, SWEENEY would sell methamphetamine to CS-1 there. CS-1 further stated to SWEENEY, in sum and substance, that after CS-1 bought methamphetamine from SWEENEY in Suffolk County, CS-1 planned to return to Manhattan. The following day, on or about January 14, 2020, at the direction of law enforcement, CS-1 met with SWEENEY and TABAK in Suffolk County, where SWEENEY and TABAK sold at least approximately several grams of a substance that later field-tested positive for methamphetamine to CS-1. The foregoing sale was recorded by an audio recording device worn by CS-1.

i. On or about January 13, 2021, UC-2 and TURNER participated in a recorded phone call. In sum and substance, UC-2 and TURNER discussed that TURNER was obtaining from SWEENEY the methamphetamine that TURNER was thereafter selling to UC-2. UC-2 asked TURNER, in sum and substance, if SWEENEY knew that UC-2 was taking the methamphetamine that SWEENEY and TURNER were selling to her into Manhattan. TURNER responded, in sum and substance, that SWEENEY knew that UC-2 was doing so.

j. On or about January 14, 2021, TURNER sold at least approximately several grams of a substance that later field-tested positive for methamphetamine to UC-2. Before TURNER sold the methamphetamine to UC-2, law enforcement observed TURNER travel to the Bayport Address, enter it, exit it, and travel to a predetermined location, where he met with UC-2. Based on my participation in this investigation, and my training and experience, I believe that TURNER traveled to the Bayport Address for the purpose of obtaining from SWEENEY and TABAK the methamphetamine that he later sold to UC-2.

k. On or about January 14, 2021, UC-1 and CS-1 met with SWEENEY and TABAK at or around a business in Suffolk County, where SWEENEY and TABAK sold at least approximately

several grams of a substance that later field-tested positive for methamphetamine to CS-1. The foregoing sale was recorded by audio and video recording devices worn by UC-1 and CS-1.

l. On or about January 18, 2021, TURNER and UC-2 drove their respective vehicles to a predetermined location approximately one mile from the Bayport Address, where they met for the purpose of TURNER selling methamphetamine to UC-2. At or around the time they arrived, TURNER stated to UC-2, in sum and substance, that SWEENEY manufactures methamphetamine at the Bayport Address. TURNER further stated, in sum and substance, that UC-2 should wait at the predetermined location while TURNER traveled to the Bayport Address and obtained from SWEENEY the methamphetamine that he was going to sell to UC-2. TURNER then left the predetermined location. Shortly thereafter, TURNER and UC-2 participated in a recorded phone call, during which TURNER stated, in sum and substance, that SWEENEY had told him that SWEENEY could not provide the methamphetamine at the Bayport Address, but that TURNER and UC-2 should travel to Hotel-1 and meet there with TABAK, who would sell them the methamphetamine.

m. TURNER and UC-2 thereafter drove their respective vehicles to Hotel-1 and parked outside. TURNER entered Hotel-1, while UC-2 remained in the vehicle. TURNER and UC-2 thereafter participated in several recorded phone calls, in which TURNER stated, in sum and substance, that he was in a hotel room ("Room-1") at Hotel-1 with SWEENEY and TABAK; that SWEENEY had stated to TURNER, in sum and substance, that SWEENEY suspected that UC-2 was a law enforcement officer, and that to prove UC-2 was not a law enforcement officer, UC-2 had to come up to Room-1 and use methamphetamine in the presence of SWEENEY; that SWEENEY would not let TURNER provide UC-2 with the methamphetamine until UC-2 came up to Room-1 and used methamphetamine in the presence of SWEENEY; and that SWEENEY was pointing a 9 millimeter firearm ("Firearm-2") at TURNER. UC-2 responded, in sum and substance, that UC-2 was not a law enforcement officer, but that UC-2 did not want to go up to Room-1 and use methamphetamine, because UC-2 was tired and had to transport the methamphetamine that UC-2 was supposed to be obtaining from TURNER and SWEENEY to UC-2's clients in Manhattan. UC-2 ultimately left the vicinity of Hotel-1 in her vehicle.

n. Shortly after UC-2 left the vicinity of Hotel-1, law enforcement officers conducting surveillance of Hotel-1 observed SWEENEY and an unidentified male individual ("UM-1") engage in behavior which, based on the training and experience of the surveilling officers, they believed was

consistent with counter-surveillance. Specifically, SWEENEY and UM-1 walked around the parking lot of Hotel-1, looking around and inside of parked cars. SWEENEY and UM-1 thereafter returned to Hotel-1. TURNER left Hotel-1 soon thereafter.

o. Later in the evening on or about January 18, 2021, TURNER and UC-2 participated in a recorded phone call. TURNER stated, in sum and substance, that SWEENEY had in fact been pointing Firearm-2 at TURNER in Room-1.

p. On or about January 19, 2020, TURNER and CW-1 participated in a recorded phone call. In sum and substance, TURNER recounted the events of the previous day at Hotel-1, and stated that SWEENEY had pointed Firearm-2 at TURNER in Room-1.

WHEREFORE, I respectfully request that JOSEPH SWEENEY, JASMINE TABAK, and KEVIN TURNER, a/k/a "Tex," the defendants, be imprisoned or bailed, as the case may be.

s/James Johnson, by the Court, with permission  
JAMES JOHNSON  
Task Force Officer  
Federal Bureau of Investigation

Sworn to before me through the transmission of this Affidavit by reliable electronic means, pursuant to Rules 4.1 and 41(d)(3) of the Federal Rules of Criminal procedure, this  
25th day of January, 2021 (FaceTime)



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THE HONORABLE DEBRA FREEMAN  
United States Magistrate Judge  
Southern District of New York