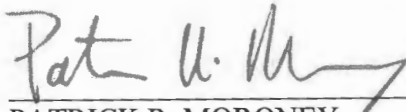


ORIGINAL

Approved:


 PATRICK R. MORONEY
 Assistant United States Attorney

Before: THE HONORABLE ONA T. WANG
 United States Magistrate Judge
 Southern District of New York

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	:	
UNITED STATES OF AMERICA	:	<u>COMPLAINT</u>
	:	
- v. -	:	Violation of
	:	21 U.S.C. § 841
AGARI REYES-SILLERO,	:	
	:	COUNTY OF OFFENSE:
Defendant.	:	NEW YORK
	:	
-----	X	

SOUTHERN DISTRICT OF NEW YORK, ss.:

RICHARD RUSCICA, being duly sworn, deposes and says that he is a Special Agent with the United States Drug Enforcement Administration ("DEA") and charges as follows:

COUNT ONE
 (Narcotics Distribution)

1. On or about February 6, 2023, in the Southern District of New York and elsewhere, AGARI REYES-SILLERO, the defendant, intentionally and knowingly distributed and possessed 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 400 grams and more of mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(A).

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(A).)

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

3. I am a Special Agent with the DEA. I have been personally involved in this investigation. This affidavit is based on my investigation, my conversations with other law enforcement officers and other individuals, 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 training and experience, my participation in this investigation, including my personal observations, my conversations with a confidential source working at the direction of law enforcement (“CS-1”),¹ my conversations with a cooperating witness working at the direction of law enforcement (“CW-1”),² my review of materials provided by CS-1 and CW-1, and conversations with other law enforcement agents, and my review of law enforcement reports and records, I have learned the following:

a. Throughout January 2023, CS-1 engaged in recorded phone calls and WhatsApp messages with the female user of a certain phone number (the “Reyes-Sillero Phone”) about the purchase of “buttons.”³ Based on my training and experience, I know that “buttons” is the term frequently used to refer to pills that contain fentanyl.

b. As described below, the Reyes-Sillero Phone was in the possession of AGARI REYES-SILLERO, the defendant, at the time her of arrest. Accordingly, I believe that REYES-SILLERO is the user of the Reyes-Sillero Phone.

c. CS-1 agreed to purchase pills from REYES-SILLERO, and REYES-SILLERO agreed to travel to New York City in early February to deliver the pills.

d. On or around February 3, 2023, REYES-SILLERO informed CS-1 that she was in Arkansas and that she would be arriving in New York City soon.

e. On or about February 5, 2023, REYES-SILLERO informed CS-1 that she had arrived in New York City. The following day, CS-1 said that CS-1 would be unable

¹ CS-1 has been providing information to the DEA since in or about 2006. CS-1 was previously arrested for a narcotics offense, but the case was subsequently dismissed. CS-1 is providing information to law enforcement in exchange for financial benefits. Information provided by CS-1 has been found reliable and corroborated by, among other things, phone records and electronic evidence, and has led to multiple seizures of narcotics.

² CW-1 was previously convicted of narcotics offenses and a charge related to the sale of a stolen vehicle. CW-1 has pleaded guilty, pursuant to a cooperation agreement, to a federal criminal information charging him with participating in a narcotics conspiracy, possession of a firearm in relation to a drug trafficking crime, possession of a firearm as a felon, conspiracy to commit wire fraud, and the sale and possession of stolen property. CW-1 previously served as a confidential source for law enforcement and engaged in criminal activity with others while serving as a confidential source. Information provided by CW-1 has been found reliable and corroborated by, among other things, phone records and physical surveillance, and has led to multiple seizures of narcotics.

³ These calls and messages were in Spanish, which were translated by another agent in my group who speaks Spanish fluently.

to meet REYES-SILLERO, but CS-1 said that CS-1's worker could meet REYES-SILLERO at a previously-discussed location in Manhattan.

f. Also on or about February 5, 2023, while using the Reyes-Sillero phone, REYES-SILLERO sent CS-1 a photograph of rainbow-colored pills, which is shown below, as well as a video of a woman opening the packaging of the rainbow-colored pills. In a call that day, REYES-SILLERO informed CS-1, in sum and substance, that REYES-SILLERO had taken the photograph of the "product," which was packaged in "1,000s." The CS-1 asked whether REYES-SILLERO was referring to the "colorful buttons," which REYES-SILLERO confirmed. REYES-SILLERO also confirmed to CS-1 that the delivery would contain 50,000 "buttons" total.



g. On or about February 6, 2023, CW-1 arrived at the meeting location, and agents observed a woman—later identified as REYES-SILLERO—enter CW-1's car carrying two bags. CW-1 later gave a signal to agents that confirmed a positive exchange. Agents moved toward the vehicle and arrested REYES-SILLERO.

h. Agents recovered a bag from the back seat of the car and a bag from the front seat of the car. Each bag contained two tubs of protein powder, which each held plastic bags of rainbow-colored pills. Collectively, the protein tubs contained about 50 plastic bags of pills. Each plastic bag, in turn, contained approximately 1,000 multicolored pills, and the

packaging of the pills appeared to be consistent with the photograph that REYES-SILLERO had sent CS-1 prior to REYES-SILLERO's arrest. Photographs of the pills are shown below:



i. Agents performed a field test of several of the pills and confirmed that the pills tested positive for fentanyl. The total weight of the pills is approximately 5.75 kilograms.


j. Based on law enforcement's review of a recording of the exchange, REYES-SILLERO confirmed to CW-1 that the backpack contained 50,000 pills and that CW-1 was to pay her \$400,000.

k. At the time of her arrest, REYES-SILLERO had a cell phone in her possession, which agents seized incident to her arrest. Agents observed that the seized phone rang when they called the Reyes-Sillero phone.

WHEREFORE, I respectfully request that AGARI REYES-SILLERO, the defendant, be imprisoned or bailed, as the case may be.


RICHARD RUSCICA
Special Agent, DEA

Sworn to before me on
February 8, 2023


THE HONORABLE ONA T. WANG
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK