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KARIN S. PORTLOCK

Assistant United States Attorney

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

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UNITED STATES OF AMERICA

: SEALED COMPLAINT

- v. -

: Violation of
21 U.S.C. §§ 812,
841(a)(1), and
841(b)(1)(C)

AVINOAM LUZON,

Defendant.

: COUNTY OF OFFENSE:
NEW YORK

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SOUTHERN DISTRICT OF NEW YORK, ss.:

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

COUNT ONE

1. On or about October 22, 2016 in the Southern District of New York, AVINOAM LUZON, the defendant, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, mixtures and substances containing a detectable amount of fentanyl.

2. The use of such controlled substance resulted in the death of Gabriel Tramiel, in New York, New York, on or about October 23, 2016.

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

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

3. 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, 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.

4. On or about the morning of October 23, 2016, Gabriel Tramiel was found dead by his wife (the "Spouse") in the apartment where they were staying in New York, New York (the "Residence").

5. A cellular phone was found on Tramiel's person (the "Cellphone"). The Spouse identified the Cellphone as belonging to Tramiel. A search of the Cellphone revealed, among other things, the following:

a. On or about the evening of October 22, 2016 at approximately 10:53 p.m., Tramiel used the Cellphone to engage in the following text message exchange with another individual identified in the Cellphone as "Avinoam":

Tramiel: "Come to the west side! I can meet you at the cvs on 86th and Amsterdam. Closer to home for you and no doorman shit[.] It's early enough where I can go out."

Avinoam: "I gotta get home and pack ect [sic]"

Tramiel: "For sure. I can just meet you and you can go home."

Avinoam: "If you want me to meet you on the west that's fine, but I'd rather grab the skrilla."¹

Tramiel: "No doorman shit. That was my only fear"

¹ Based on my training and experience, I understand the term "skrilla" to be slang used by narcotics dealers referring to money or payment in exchange for narcotics.

Avinoam: "Ok so do you want me to cage the address?"

Tramiel: "I can PayPal you 300 now and give you 900 in cash this week anytime that is easy for you[.] Yea 86 and Amsterdam"

Avinoam: "Ok"

Tramiel: "Love you. Tell me when you 15 minutes out and I will head over"

Avinoam: "For sure 23 min away now"

Tramiel: "K"

Avinoam: "I'm here, waiting in CVS"

Tramiel: "I'm here!"

6. I have reviewed a PayPal receipt from Tramiel's email account showing that at approximately 10:59 p.m., Tramiel made a PayPal payment of \$300.00 USD to "avinoam luzon."

7. I have reviewed surveillance video recovered from the elevator of the building in which the Residence is located showing Tramiel at approximately 12:15 a.m. on October 23, 2016, inhaling the contents of a nasal spray bottle (the "Bottle").

8. Based on my conversations with the Spouse, I have learned in substance and in part, the following:

a. The Spouse discovered the Bottle next to Tramiel's deceased body on or about the morning of October 23, 2016.

b. Shortly thereafter, at approximately 8:40 a.m. that morning, the Spouse missed a call from AVINOAM LUZON, the defendant. The Spouse returned LUZON's call, and LUZON told the Spouse, in sum and substance, that he "might be responsible for what happened to Tramiel." LUZON further told the Spouse that he had met with Tramiel the night before in the vicinity of the CVS at 86th Street and Amsterdam Avenue (the "CVS"), that Tramiel purchased a nasal spray bottle at the CVS, that LUZON had provided Tramiel with liquid morphine, and that LUZON believed Tramiel had transferred the liquid to the nasal spray bottle.

9. Based on a search of subscriber information for the phone number of "Avinoam," as saved in the Cellphone, I have learned that the number belongs to "Avinoam Luzon" at an address that I know from a search of public and law enforcement databases to be associated with AVINOAM LUZON, the defendant.

10. Based on conversations with academic officials and review of academic records, I have learned that LUZON is a medical doctor who is currently enrolled as a graduate student at a school of public health in New York, New York.

11. Tramiel's body was examined by a medical examiner from the New York City Office of the Chief Medical Examiner. The certificate of death for Tramiel, signed by the medical examiner and dated October 24, 2016, certifies that the immediate cause of Tramiel's death was acute fentanyl intoxication. Based on my conversations with the medical examiner who performed the autopsy on Tramiel, I have learned, in substance and in part, that fentanyl intoxication was the but-for cause of Tramiel's death.

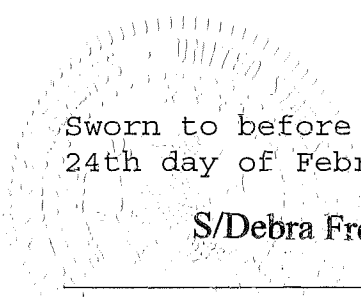
12. The remaining substance in the Bottle was tested in an NYPD laboratory. Based on a report regarding that testing, I have learned that the remaining substance in the Bottle was fentanyl.

13. I have reviewed records obtained from the New York State Department of Health's Bureau of Narcotic Enforcement and learned that, in 2016, there were no prescriptions issued to or filled by Gabriel Tramiel.

WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of AVINOAM LUZON, the defendant, and that he be arrested and imprisoned or bailed, as the case may be.



DETECTIVE ELIZABETH MARQUEZ
NEW YORK CITY POLICE DEPARTMENT



Sworn to before me this
24th day of February, 2017

S/Debra Freeman

THE HONORABLE DEBRA FREEMAN
CHIEF UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK