


17 MAG 3405

Approved: 
JACOB WARREN / MICHAEL LONGYEAR
Assistant United States Attorneys

Before: THE HONORABLE SARAH NETBURN
United States Magistrate Judge
Southern District of New York

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UNITED STATES OF AMERICA	:	<u>SEALED COMPLAINT</u>
- v. -	:	Violations of 18 U.S.C. §§ 1951, 1201
JORDANY FRIAS-ROSARIO, a/k/a "Julio," and	:	924(c)(1)(A)(ii), and 2
PEDRO CASTILLO, a/k/a "Juan Antonio Frias,"	:	COUNTY OF OFFENSE: BRONX
Defendants.	:	

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SOUTHERN DISTRICT OF NEW YORK, ss.:

MEGAN QUINN, being duly sworn, deposes and says that she is a Special Agent with the with the Bureau of Alcohol, Tobacco, Firearms and Explosives (the "ATF"), and charges as follows:

COUNT ONE
(Conspiracy to Commit Hobbs Act Robbery)

1. On or about March 30, 2017, in the Southern District of New York, JORDANY FRIAS-ROSARIO, a/k/a "Julio," and PEDRO CASTILLO, a/k/a "Juan Antonio Frias," the defendants, and others known and unknown, unlawfully and knowingly did combine, conspire, confederate, and agree together and with others known and unknown to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, the defendants conspired to commit a home invasion robbery of a location in the Bronx, New York which FRIAS-ROSARIO and CASTILLO believed to contain narcotics and narcotics proceeds.

(Title 18, United States Code, Section 1951.)

COUNT TWO
(Hobbs Act Robbery)

2. On or about March 30, 2017, in the Southern District of New York and elsewhere, JORDANY FRIAS-ROSARIO, a/k/a "Julio," and PEDRO CASTILLO, a/k/a "Juan Antonio Frias," the defendants, unlawfully and knowingly did commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, the defendants committed a home invasion robbery of a location in the Bronx, New York which FRIAS-ROSARIO and CASTILLO believed to contain narcotics and narcotics proceeds.

(Title 18, United States Code, Sections 1951 and 2.)

COUNT THREE
(Kidnapping)

3. On or about March 30, 2017, in the Southern District of New York and elsewhere, JORDANY FRIAS-ROSARIO, a/k/a "Julio," and PEDRO CASTILLO, a/k/a "Juan Antonio Frias," the defendants, did willfully and knowingly did seize, confine, kidnap, abduct, and carry away and hold for ransom and reward and otherwise, a person, and use a means, facility, and instrumentality of interstate commerce in committing and in furtherance of the commission of the kidnapping, to wit, FRIAS-ROSARIO and CASTILLO forcefully confined two victims without their consent and in committing or in furtherance of the commission of the offense, used a cellphone, a means, facility, and instrumentality of interstate commerce.

(Title 18, United States Code, Sections 1201 and 2.)

COUNT FOUR
(Firearm Use, Carrying, and Possession)

4. On or about March 30, 2017, in the Southern District of New York and elsewhere, JORDANY FRIAS-ROSARIO, a/k/a "Julio," and PEDRO CASTILLO, a/k/a "Juan Antonio Frias," the defendants, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the robbery and kidnapping charged in Counts Two and Three of this Complaint, knowingly used and carried a firearm, and, in furtherance of the robbery and kidnapping charged in

Counts Two and Three of this Complaint, possessed a firearm, which was brandished during the robbery and kidnapping.

(Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2.)

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

5. I am a Special Agent with the ATF. 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 personnel 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 review of police reports, my conversations with the victims, as well as my review of surveillance video, I have learned, among other things, the following:

a. On or about March 30, 2017, two perpetrators, later identified as JORDANY FRIAS-ROSARIO, a/k/a "Julio," and PEDRO CASTILLO, a/k/a "Juan Antonio Frias," the defendants, committed a home invasion robbery in the Bronx, New York (the "Robbery"). During the course of the Robbery, FRIAS-ROSARIO and CASTILLO brandished a firearm and forcefully tied up two victims ("Victim-1" and "Victim-2"). Victim-1, a 66-year-old man, was pistol whipped, leaving a deep gash over his left ear. Victim-2, a seven-year-old boy with autism, was also tied up.

b. During the Robbery, FRIAS-ROSARIO and CASTILLO stole a safe (the "Safe") from the home. According to the owner of the Safe ("Victim-3"), the Safe contained cash proceeds from a nearby cellphone store in the Bronx which Victim-3 manages. In addition, a cellphone ("Cellphone-1") was abandoned at the scene of the Robbery. Cellphone-1 does not

belong to Victim-1, Victim-2, or Victim-3, and is believed to belong to FRIAS-ROSARIO or CASTILLO.¹

7. From my conversations with Victim-3, I have learned, in substance and in part, the following:

a. On or about March 31, 2017, the day after the Robbery, Victim-3 reviewed a surveillance video taken in the apartment building the day of the Robbery on March 30, 2017 (the "Surveillance Video"). After reviewing the Surveillance Video, Victim-3 positively identified FRIAS-ROSARIO and CASTILLO as the individuals appearing in the Surveillance Video. In the Surveillance Video, FRIAS-ROSARIO appears to be wearing a black hooded jacket (the "Jacket") that has a white circular patch approximately halfway between the elbow and shoulder on the right sleeve of the Jacket.

b. On or about April 1, 2017, two days after the Robbery, FRIAS-ROSARIO and CASTILLO called Victim-3 on Victim-3's cell phone on two separate occasions (the "Victim-3 Calls"). During the first Victim-3 Call, which came from an unknown number, FRIAS-ROSARIO and CASTILLO offered to return the cash stolen from the Safe in exchange for Cellphone-1. During the second Victim-3 Call, FRIAS-ROSARIO identified himself as "Julio," apologized for the Robbery, explained that he only committed the Robbery because he thought there would be a lot of drugs and money in the Safe, and again offered to return the money stolen from the Safe in exchange for Cellphone-1. During that second Victim-3 Call, CASTILLO threatened Victim-3 and instructed Victim-3 not to tell the police who committed the Robbery.²


¹ Cellphone-1 is subscribed in the name of an individual ("Individual-1") at a specific address in the Bronx, New York ("Address-1"). Address-1 is managed by a real estate management company (the "Real Estate Management Company") in the Bronx. Based on a law enforcement interview of an employee of the Real Estate Management Company who is familiar with Individual-1 and CASTILLO, I have learned, among other things, that Individual-1 and CASTILLO have a romantic relationship.

² The second Victim-3 Call came from a cellphone ("Cellphone-2") that also appears to have been used in furtherance of the Robbery. Cellphone-2 called Cellphone-1 twice within approximately one hour of the Robbery, and then again approximately twenty minutes after the Robbery. Similarly,


8. I have also spoken to a witness ("Witness-1") who reviewed the Surveillance Video and confirmed that the Surveillance Video depicts JORDANY FRIAS-ROSARIO, a/k/a "Julio," and PEDRO CASTILLO, a/k/a "Juan Antonio Frias," the defendants. Based on my conversation with Witness-1, Witness-1 is familiar with the appearances of FRIAS-ROSARIO and CASTILLO, and knows the individuals in the Surveillance Video to be FRIAS-ROSARIO and CASTILLO.

9. I have also reviewed a video (the "Video") posted on a publicly available Facebook Page on March 12, 2017. The Video appears to show JORDANY FRIAS-ROSARIO, a/k/a "Julio," the defendant, wearing the same Jacket as he was wearing in the Surveillance Video during the Robbery.

WHEREFORE, the deponent respectfully requests that warrants be issued for the arrest of JORDANY FRIAS-ROSARIO, a/k/a "Julio," and PEDRO CASTILLO, a/k/a, "Juan Antonio Frias," the defendants, and that they be arrested and imprisoned, or bailed, as the case may be.


MEGAN QUINN
SPECIAL AGENT
ATF

Sworn to before me this
5th day of May, 2017


THE HONORABLE SARAH NETBURN
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK

Cellphone-1 called Cellphone-2 twice within approximately one hour of the Robbery.

ORIGINAL

UNITED STATES DISTRICT COURT

for the

Southern District of New York

17 MAG 3405

United States of America

v.

JORDANY FRIAS-ROSARIO,
a/k/a "Julio,"

Case No.

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) JORDANY FRIAS-ROSARIO, a/k/a "Julio,"
who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

Violations of 18 U.S.C. §§ 1951 (Hobbs Act robbery and conspiracy to commit Hobbs Act robbery), 1201 (kidnapping), 924 (c)(firearm use, carrying, and possession)

Date: 05/05/2017

Issuing officer's signature

City and state: New York, New York

Hon. Sarah Netburn, U.S. Magistrate Judge

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

ORIGINAL

UNITED STATES DISTRICT COURT

for the
Southern District of New York

17 MAG 3405

United States of America

v.

PEDRO CASTILLO,
a/k/a "Juan Antonio Frias,"

Case No.

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) PEDRO CASTILLO, a/k/a "Juan Antonio Frias,"
who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
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