
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

v.

ELIEZER MEDINA and
JOSE MEDINA

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CRIMINAL COMPLAINT

Honorable Cathy L. Waldor

Mag. No. 14-7248

FILED UNDER SEAL

I, Kenneth Terracciano, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief.

SEE ATTACHMENT A

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.



Special Agent Kenneth Terracciano
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,
November 13, 2014 Newark, New Jersey

HONORABLE CATHY L. WALDOR
UNITED STATES MAGISTRATE JUDGE



Signature of Judicial Officer

ATTACHMENT A

COUNT ONE

(Conspiracy to Transport Stolen Goods in Interstate Commerce)

From in or about November 2013 through on or about August 25, 2014, in Bergen County, in the District of New Jersey, and elsewhere, defendants

ELIEZER MEDINA and
JOSE MEDINA

did knowingly and intentionally conspire and agree with each other and others to commit offenses against the United States, to wit: to transport, transmit, and transfer in interstate and foreign commerce goods, wares, merchandise, and money, of the value of \$5,000 or more, knowing the same to have been stolen and converted, contrary to Title 18, United States Code, Section 2314.

In furtherance of the conspiracy and to effect its unlawful objects, the above-listed defendants and their coconspirators committed and caused to be committed the overt acts, among others, in the District of New Jersey, and elsewhere, as set forth in Attachment B below.

In violation of Title 18, United States Code, Section 371.

COUNT TWO

(Transportation of Stolen Goods in Interstate Commerce)

On or about November 3, 2013, in Bergen County, in the District of New Jersey, and elsewhere, defendant

ELIEZER MEDINA

did knowingly and willfully transport, transmit, and transfer in interstate and foreign commerce goods, wares, merchandise, and money, of the value of \$5,000 or more, knowing the same to have been stolen and converted.

In violation of Title 18, United States Code, Section 2314.

COUNT THREE
(Transportation of Stolen Goods in Interstate Commerce)

On or about November 24, 2013, in Bergen County, in the District of New Jersey, and elsewhere, defendant

ELIEZER MEDINA

did knowingly and willfully transport, transmit, and transfer in interstate and foreign commerce goods, wares, merchandise, and money, of the value of \$5,000 or more, knowing the same to have been stolen and converted.

In violation of Title 18, United States Code, Section 2314.

COUNT FOUR
(Transportation of Stolen Goods in Interstate Commerce)

On or about August 25, 2014, in Camden County, in the District of New Jersey, and elsewhere, defendants

ELIEZER MEDINA and
JOSE MEDINA

did knowingly and willfully transport, transmit, and transfer in interstate and foreign commerce goods, wares, merchandise, and money, of the value of \$5,000 or more, knowing the same to have been stolen and converted.

In violation of Title 18, United States Code, Section 2314 and Section 2.

ATTACHMENT B

I, Kenneth Terracciano, am a Special Agent with the Federal Bureau of Investigation. I am fully familiar with the facts set forth herein based on my own investigation, my conversations with other law enforcement officers, and my review of reports, documents, and items of evidence. Where statements of others are related herein, they are related in substance and part. Because this Affidavit is being submitted for a limited purpose, I have not set forth each and every fact that I know or other law enforcement officers know concerning this investigation. I have only set forth those facts that I believe are sufficient to show probable cause exists to believe that the defendants have committed the offenses set forth in Attachment A. Where I assert that an event took place on a particular date or time, I am asserting that it took place on or about the date or time alleged.

General Background

1. Federal, state, and local authorities are investigating a string of commercial burglaries that have occurred from at least as early as November 2013 through August 25, 2014 and beyond, in multiple states, including New Jersey, New York, and Pennsylvania.
2. Unless otherwise noted, each of the burglaries discussed herein has followed the same general *modus operandi*. Typically, a crew of two or three burglars conduct surveillance of the target location, usually a large commercial store. Often times, a member of the conspiracy enters the store during business hours to identify, among other things, the emergency exit door, the store's alarm system, and any interior or exterior surveillance cameras. Sometimes, while inside a store and depending on the characteristics of a store's alarm system, the conspiracy members will take steps to disable the alarm systems by, for example, placing magnets over the sensors on the emergency exit door or putting tape over the surveillance cameras. At a later time after the store has closed, two or three of the burglars arrive on scene in a vehicle, usually a minivan, wearing dark clothing, ski masks, and gloves. One or more of the burglars wears a dark-colored backpack, and one or more of the burglars carries tools, including, but not limited to, crowbars and electric saws. The burglars typically break into the store through its emergency exit door by first drilling a small hole in the door and then using crowbars and other various burglar tools to force open the door's push-bar. Depending on the configuration of the store's alarm system, they also have been known to use an electric saw to slice the emergency exit door in two and to enter the store through the bottom portion of the door. If the alarm on the door sounds, the burglars deactivate it. The burglars then use pry-bars and other various tools to gain entry into the room of the store housing the store's safes. The burglars generally break into the safe or safes by using electric saws to make a distinctive, vertical straight-line cut through the safe door, bypassing the handle. Once inside the safe or safes, the burglars steal whatever cash is inside. Once the burglary is complete, the burglars exit the store with the stolen money and typically drive away together in the same vehicle in which they drove to the scene. The burglars are often inside the store for several hours committing the burglary. As such, the burglars commit their burglaries on days or nights when the stores are closed.

3. As set forth below, many of these burglaries occurred in the State of New Jersey. After numerous such instances, the burglars travelled from the site of the burglary in New Jersey to Pennsylvania or New York, in possession of the stolen cash.
4. At all times relevant to this Complaint, defendant ELIEZER MEDINA lived in Ronks, Pennsylvania. His brother, defendant JOSE MEDINA, lived in Lancaster, Pennsylvania.

The Burglaries

5. The November 3, 2013 Burglary in Paramus, New Jersey

- a. On or about November 3, 2013, a store in Paramus, New Jersey ("Victim Store 1") was burglarized. The day before the burglary, on or about November 2, 2013, during business hours, a man resembling defendant ELIEZER MEDINA entered Victim Store 1 with another man. Surveillance cameras inside Victim Store 1 captured footage of the two men as they walked through the store together, not appearing to be shopping for any particular item. First, they walked up to the panel where the store alarm system was housed and held up a phone as if to take a picture of the alarm system. Video surveillance then showed the two men standing for some time behind the security desk, where they would have been able to view the television screens that displayed the viewpoints of the store's various security cameras.
- b. On or about November 3, 2013, starting at approximately 1:25 am, Victim Store 1 was burglarized. Surveillance videos from inside Victim Store 1 showed two males dressed in dark clothing, masks, and gloves attempting to enter the safe room. One of the males carried a dark-colored backpack and a pry-bar with yellow paint or coating. Video surveillance showed one of the actors using the pry-bar to pry open the door to the safe room. Once inside the safe room, the burglars accessed the safe by making a vertical cut in the safe door to force it open. The burglars left Victim Store 1 at approximately 9:15 am on November 3, 2013 with approximately \$40,000 in cash that had been stolen from the store's safe.
- c. Defendant ELIEZER MEDINA's cellular phone was in close proximity to Victim Store 1 on the day prior to the burglary, *i.e.*, November 2, 2013, at approximately the same time surveillance cameras showed the two men walking through the store and studying the store's security systems. Defendant ELIEZER MEDINA's cellular phone was also in close proximity to Victim Store 1 during the time of the burglary. Based on an analysis of defendant ELIEZER MEDINA's cellular phone records, it appears that defendant ELIEZER MEDINA's cellular phone travelled from the burglary location in Paramus, New Jersey to Queens, New York.

6. The November 24, 2013 Burglary in Paramus, New Jersey

- a. On or about Sunday, November 24, 2013, a store in Paramus, New Jersey ("Victim Store 2") was burglarized. According to the store's surveillance video system, the burglary was in progress from at least approximately 5:30 am through approximately 2:30 pm. The surveillance video revealed that the store was burglarized by two men,

dressed in dark-colored clothing, with masks and gloves. The burglars gained entry to Victim Store 2 by drilling a small hole in the center of the rear emergency exit door. They disabled the alarm on the rear emergency exit door by placing magnets in the door frame so as to close the electrical circuit and prevent the alarm from being triggered. The office door inside Victim Store 2 had been pried open and law enforcement officers found evidence of yellow paint transfer on the door frame, suggesting that a pry-bar or other tool with yellow paint or coating had been used to force open the door. The burglars broke open two safes in Victim Store 2. One safe was opened through a vertical cut through the safe door. The second safe showed evidence of an attempted vertical cut through the door that failed to open the safe. The burglars ultimately accessed the second safe by prying up the sheet metal on the side of the safe and making a hole into the body of the safe. The burglars stole approximately \$50,000 in cash that had been inside the store's safes.

- b. At approximately 7:30 am on November 24, 2013, during the burglary of Victim Store 2, law enforcement officials were alerted to an alarm at a commercial store near Victim Store 2. Unaware that a burglary was in progress at Victim Store 2, law enforcement officers responding to the nearby alarm took notice of a blue Chrysler Town & Country minivan with a Pennsylvania license plate parked behind Victim Store 2. The blue Town & Country was later determined to be registered to the mother of defendants ELIEZER MEDINA and JOSE MEDINA.
- c. Defendant ELIEZER MEDINA's cellular phone was in close proximity to Victim Store 2 at the time of the burglary. Based on an analysis of defendant ELIEZER MEDINA's cellular phone records, it appears that the phone travelled from the burglary location in Paramus, New Jersey to New York, New York.

7. The December 1, 2013 Burglary in Cleona, Pennsylvania

- a. On or about December 1, 2013, a store in Cleona, Pennsylvania ("Victim Store 3") was burglarized. The burglary occurred shortly after Victim Store 3 was closed for the day. Law enforcement officers found that the burglars gained entry to Victim Store 3 by prying open the rear metal door of the store. Law enforcement officers found evidence of yellow paint transfer on the frame of the door, suggesting that a pry-bar or other tool with yellow paint or coating had been used to force open the door. Law enforcement officers also found evidence that the burglars had cut and/or disconnected the store's telephone and electrical wires. The burglars accessed the safe inside Victim Store 3 by making a vertical cut through both the top and bottom doors of the safe. The burglars stole approximately \$32,000 in cash that had been inside the store's safe.
- b. Defendant JOSE MEDINA's cellular phone was in close proximity to Victim Store 3 at the time of the burglary.

8. The December 25, 2013 Attempted Burglary in Paramus, New Jersey

- a. On or about December 25, 2013, a burglary was interrupted at a store in Paramus, New Jersey ("Victim Store 4"). The day prior to the burglary, on or about December 24, 2013, during business hours, two men were observed on video surveillance entering Victim Store 4. Surveillance cameras captured footage of the two men as they made their way to the back of the store, near the rear emergency exit door. One of the men was carrying what appeared to be a roll of tape. The two men were then observed moving a cart of items in front of the security camera in an attempt to be blocked from the camera's view.
- b. At approximately 3:30 am on December 25, 2013, a law enforcement officer responded to the area of Victim Store 4 after a concerned resident reported seeing people attempting to break into Victim Store 4. The officer arrived at Victim Store 4 and drove head-on into the path of a vehicle that appeared to be a dark blue Chrysler Town & Country minivan leaving the area of Victim Store 4. Video footage from the officer's dashboard camera shows that the van was occupied by three males, and that the van appeared to have two stickers on the driver's side of the front windshield and no front license plate, both of which are indicia that the vehicle was registered in Pennsylvania. The blue Chrysler Town & Country minivan that was seen at the location of the Victim Store 2 burglary and that was registered to defendants ELIEZER MEDINA and JOSE MEDINA's mother was registered in Pennsylvania. The officer pursued the minivan into the area just east of Paramus, New Jersey before it eluded capture.
- c. After the pursuit, law enforcement officers found that burglars had drilled a small hole in the center of the rear emergency exit door to Victim Store 4. A horizontal cut was made across the door at the level of the hole, creating a point of entry below the push-bar of the door. Law enforcement officers also found that a piece of opaque tape had been placed over the motion sensor located above the inside of the rear emergency exit door. Surveillance cameras located outside of the safe room showed a man, dressed in dark clothing with a mask and gloves, and carrying a dark-colored backpack, attempting to gain entry into the safe room using a yellow-coated pry-bar. Surveillance videos also show that the burglar abruptly stopped prying the door to the safe room at approximately the same time that law enforcement officers were reporting to Victim Store 4.
- d. Defendant ELIEZER MEDINA's cellular phone was in close proximity to Victim Store 4 at the time of the attempted burglary. Defendant ELIEZER MEDINA's cellular phone was also located in close proximity to the area where law enforcement pursued the dark blue Town & Country minivan immediately after the attempted burglary.

9. **The August 24, 2014 Burglary in Pennsauken, New Jersey**

- a. On or about August 24, 2014, a store located in Pennsauken, New Jersey ("Victim Store 5") was burglarized. At approximately 4:30 pm on August 24, 2014, a black minivan was observed by surveillance cameras pulling into the business park where

Victim Store 5 is located. The cameras showed the black minivan park near the utility pole outside Victim Store 5. As the minivan pulled up to the utility pole, a man was observed walking towards the van, and then pulling or yanking at the utility pole. At approximately 5:40 pm, the black minivan was observed driving into the parking lot of Victim Store 5 and was seen backing up to the emergency exit door. An individual exited the black minivan and was observed nearby the emergency exit door. While the black minivan was still parked near the emergency exit door, another vehicle was observed driving into the parking lot of Victim Store 5. The new vehicle's arrival appeared to cause the individual to get back into the black minivan, which then left the area. Minutes later, a black minivan using an EZ-Pass transponder registered to defendant ELIEZER MEDINA crossed from New Jersey into Pennsylvania over the Tacony-Palmyra Bridge.

- b. Approximately three hours later, on or about August 24, 2014, surveillance cameras showed a white minivan pull into the parking lot of Victim Store 5. Surveillance videos from inside Victim Store 5 reveal that the store was then burglarized by two or three men wearing masks, gloves, and hooded clothing. One of the men carried a dark-colored backpack. Law enforcement officers determined that the burglars entered the store by drilling a small hole in the center of the emergency exit door, and cutting the door in half horizontally. Video surveillance shows one of the men using a yellow-coated pry-bar to access the safe room. The burglars accessed the safe inside Victim Store 5 by cutting a large square hole into the safe door. Moreover, the data and telephone wires to Victim Store 5 had been cut on the same telephone pole on which the man who exited the black minivan had been pulling earlier in the day. The burglars stole approximately \$203,000 in cash that had been kept in the store's safe.
- c. Immediately after the burglary was completed, at approximately 1:00 am on August 25, 2014, a white Nissan Quest minivan with the same EZ-Pass transponder registered to defendant ELIEZER MEDINA crossed from New Jersey into Pennsylvania over the Tacony-Palmyra Bridge.
- d. Defendant JOSE MEDINA's cellular phone was in close proximity to Victim Store 5 at the time of the burglary.
- e. At approximately 2:00 am on August 25, 2014, law enforcement officers were conducting physical surveillance of defendant ELIEZER MEDINA's residence in Ronks, Pennsylvania. Officers observed a black Chrysler Town & Country minivan parked in the driveway of defendant ELIEZER MEDINA's residence. Officers later determined that the black Chrysler Town & Country minivan had a Pennsylvania license plate registered to defendant JOSE MEDINA.
- f. At or around 3:00 am on August 25, 2014, law enforcement officers observed a white Nissan Quest minivan arrive at defendant ELIEZER MEDINA's house and back into the driveway. The white Nissan Quest minivan was later determined by law enforcement officers to be registered to defendant ELIEZER MEDINA's domestic

partner. Law enforcement officers subsequently observed three men dressed in dark clothing exit the house, unload bags from the Nissan Quest, and bring them into defendant ELIEZER MEDINA's house. Then, law enforcement officers observed defendant JOSE MEDINA exit defendant ELIEZER MEDINA's house, get into the black Town & Country minivan, and drive away. The law enforcement officers then watched defendant JOSE MEDINA drive the black Town & Country minivan to his house and enter his house.

- g. Defendant JOSE MEDINA's cellular phone, which, as stated above, was in close proximity to Victim Store 5 at the time of the burglary,