

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

v.

STEPHON SOLOMON,
a/k/a "S,"
a/k/a "Ole Boy,"
QUASIM NICHOLS,
a/k/a "Pun,"
DARSELL DAVIS,
a/k/a "Rock," and
DWAYNE HARPER,
a/k/a "Buck"

:
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: Hon. James B. Clark III
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: Mag. No. 14-3104
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: CRIMINAL COMPLAINT
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I, Karen Veltri, 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 pages and made a part hereof.



Karen Veltri
Special Agent
Federal Bureau of Investigation

Sworn to before me, and subscribed in my presence
on the 27th day of May, 2014
at Newark, New Jersey

HONORABLE JAMES B. CLARK III
UNITED STATES MAGISTRATE JUDGE



Signature of Judicial Officer

ATTACHMENT A

Count 1
(Conspiracy to Obstruct Commerce by Extortion
Under Color of Official Right)

From in or about September 2013 to in or about May 2014, in Essex County, in the District of New Jersey, and elsewhere, defendants

STEPHON SOLOMON, a/k/a "S," a/k/a "Ole Boy,"
QUASIM NICHOLS, a/k/a "Pun,"
DARSELL DAVIS, a/k/a "Rock," and
DWAYNE HARPER, a/k/a "Buck,"

and others did knowingly and intentionally conspire to obstruct, delay, and affect interstate commerce by extortion under color of official right, by accepting corrupt payments that were paid and to be paid by another, with that person's consent, in exchange for defendant STEPHON SOLOMON's official action and assistance in violation of his official duties at the Essex County Correctional Facility as specific opportunities arose.

In violation of Title 18, United States Code, Section 1951(a).

Count 2
(Conspiracy to Provide, Obtain and Possess
Contraband in a Correctional Facility)

From in or about September 2013 to in or about May 2014, in Essex County, in the District of New Jersey, and elsewhere, defendants

STEPHON SOLOMON, a/k/a "S," a/k/a "Ole Boy,"
QUASIM NICHOLS, a/k/a "Pun,"
DARSELL DAVIS, a/k/a "Rock," and
DWAYNE HARPER, a/k/a "Buck,"

and others did knowingly and intentionally conspire to commit an offense against the United States, namely by providing to an inmate of a prison prohibited objects, including cellular telephones and marijuana, and an inmate of a prison obtaining and possessing such prohibited objects, contrary to Title 18, United States Code, Sections 1791(a), (d)(1)(B) and (d)(1)(F), and did an act to effect the object of the conspiracy.

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

ATTACHMENT B

I, Karen Veltri, am a Special Agent with the Federal Bureau of Investigation (“FBI”). I have personally participated in this investigation and am aware of the facts contained herein based upon my own participation in this investigation, interviews and briefings with other law enforcement officers and interviews and briefings with confidential sources of information and witnesses. I also have reviewed publicly-available documents and reports, and other evidence, including pen registers, surveillance, recorded jail calls, and lawfully-intercepted wire and text communications. Because this complaint is being submitted for the limited purpose of establishing probable cause, I have not set forth herein each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged. All referenced times are approximate and refer to Eastern Standard Time. Unless otherwise indicated, statements attributable to individuals are related in substance and in part.

1. At times relevant to this complaint:
 - a. Defendant STEPHON SOLOMON, a/k/a “S,” a/k/a “Ole Boy” (“SOLOMON”) was a Corrections Officer with the Essex County Correctional Facility in Newark, New Jersey (“Essex County Jail”). SOLOMON utilized a cellular telephone (the “Solomon Phone”).
 - b. Defendant QUASIM NICHOLS, a/k/a “Pun” (“NICHOLS”) was an inmate at the Essex County Jail, charged by federal criminal complaint with one count of theft of a motor vehicle by force, violence, and intimidation, in violation of 18 U.S.C. § 2119; and one count of using a firearm in furtherance of a crime of violence, in violation of 18 U.S.C. § 924(c)(1)(A)(ii).
 - c. Defendant DARSELL DAVIS, a/k/a “Rock” (“DAVIS”) was an associate of NICHOLS. DAVIS utilized a cellular telephone (the “Davis Phone”).
 - d. Defendant DWAYNE HARPER, a/k/a “Buck” (“HARPER”) was an associate of NICHOLS. HARPER utilized a cellular telephone (the “Harper Phone”).
 - e. There was an individual incarcerated at the Essex County Jail while awaiting trial on federal charges (“Individual 1”).
 - f. There was an individual, not incarcerated, who was a relative of Individual 1 (“Individual 2”). Individual 2 utilized a cellular telephone (the “Individual 2 Phone”).
 - g. The Essex County Jail was a facility in Newark, New Jersey, that held federal pretrial detainees by direction of or pursuant to a contract or agreement with the United States Attorney General.

- h. Inmates at the Essex County Jail were permitted to place telephone calls from telephones inside the Jail. The inmates were advised via an automated message at the beginning of every call that the call may be recorded. Additionally, prior to receiving authorization to use the telephones, all inmates signed a waiver form confirming their understanding that “telephone calls are subject to monitoring, recording, and could be intercepted or divulged.” Accordingly, inmates who proceeded with telephone calls were deemed to have consented to the recording of such calls.
- i. There was a cooperating witness (“CW-1”) incarcerated at Essex County Jail. CW-1 has cooperated with law enforcement in the hopes of obtaining a more favorable outcome with respect to pending federal criminal charges.
- j. There was another cooperating witness (“CW-2”) incarcerated at Essex County Jail. CW-2 has cooperated with law enforcement in the hopes of obtaining a more favorable outcome with respect to pending federal criminal charges.

2. Since September 2013, federal law enforcement has been investigating the conduct of SOLOMON, NICHOLS, DAVIS, HARPER, and others concerning smuggling contraband into the Essex County Jail facilitated by payments made to SOLOMON. The investigation revealed evidence of a conspiracy among these defendants and others to introduce contraband, including cellular telephones, marijuana, and tobacco, into the Essex County Jail with SOLOMON’s paid assistance. This affidavit first sets forth evidence concerning four separate deliveries of contraband by SOLOMON to NICHOLS, in exchange for payment, occurring in September 2013; October 2013; December 2013; and March 2014. Finally, the affidavit sets forth evidence concerning two additional deliveries of contraband, by SOLOMON to NICHOLS, again in exchange for payment, in April 2014.

September 2013

3. On September 27, 2013, at 10:21 AM, NICHOLS and DAVIS spoke over the recorded Jail telephone. NICHOLS asked DAVIS to call Individual 2 and to relay information from Individual 1 to Individual 2. NICHOLS asked DAVIS to ask Individual 2 if Individual 2 had “everything situated.” DAVIS informed NICHOLS that Individual 2 said “yeah shit is situated.” Later in the call, Individual 1 began talking to DAVIS. Individual 1 told DAVIS to “tell him [Individual 2] to give you the package he’s got and tell him to throw the lighters in too.” Individual 1 then said to DAVIS: “You got to hurry up. I’m about to give my man your number man.” Then, NICHOLS got back on the telephone and resumed his conversation with DAVIS. NICHOLS said “this is how I make money” and then said “Listen I need you to grab the buglers.¹ Little pack of tobacco. From the Puerto Rican store. Grab three of those for me

¹ Bugler is the name of a roll-your-own brand of tobacco – each Bugler pack comes with a pouch of tobacco and papers in which to roll the tobacco.

and put it in the bag with that.” DAVIS asked “who am I about to meet?” and NICHOLS responded, “I can’t say that over the phone.” At the end of the call, NICHOLS told DAVIS that after DAVIS received the package from Individual 2, DAVIS should text the number that NICHOLS was about to give him and say “yo I’m outside.”

4. On September 27, 2013, at 11:01 AM, NICHOLS and DAVIS again spoke over the recorded Jail telephone. NICHOLS asked DAVIS what happened and DAVIS said that the number that NICHOLS had given him “wasn’t the number” and that it “was a white person number.” NICHOLS then yelled at someone else in the Jail to obtain the correct number, and NICHOLS subsequently told DAVIS the correct number, which was the number that corresponded to the Solomon Phone.

5. NICHOLS thereafter asked whether “everything [was] in there correctly” and DAVIS said that “they only had 3 [packs of tobacco] in the store, so I only got 3. And only one of the flames [lighters].” DAVIS then said: “he [SOLOMON] just texted me. He said what’s good. I’m about to tell him 10 minutes.” Telephone toll records confirm that the Davis Phone and the Solomon Phone exchanged 2 text messages during the first half of this recorded phone call. NICHOLS later advised DAVIS to “compress it real tight” and “to make it as small as possible.” NICHOLS told DAVIS: “Remember what you got for me, right? Take it all out and crush it into a ball.” DAVIS then told NICHOLS that it was the size of a “half a sub sandwich.” During this conversation, NICHOLS was asking DAVIS to combine the tobacco from the separate packs of tobacco into a ball in order to make the package of contraband as small as possible so that it could more easily be smuggled into the Jail.

6. At the end of the call, NICHOLS asked “he hit you back already right?” to which DAVIS responded “who, the n-----? Let me check my messages.” DAVIS said he had just told him [SOLOMON] that he would be there in five minutes. (Telephone toll records confirm that the Davis Phone sent a text message to the Solomon Phone at the end of this call.)

7. On September 27, 2013, at 11:19 AM, NICHOLS and DAVIS again spoke over the recorded Jail telephone. NICHOLS said “he hit you back?” and DAVIS responded, “yeah when I said five minutes he said okay.” Telephone toll records confirm that the Solomon Phone sent a reply text message to the Davis Phone immediately after the conclusion of the prior call. NICHOLS then asked DAVIS “what color is your shit?” DAVIS replied that he was in a “black Laredo.” DAVIS then told NICHOLS that “he just hit” him and said “he would party with me [DAVIS] in five minutes.” NICHOLS said “hey, yo, get cool with the n----, start talkin’ to him and shit, you know what I mean, tell him you and me can hook up and go out one day know what I mean, shit like that, know what I mean.” NICHOLS said he wanted DAVIS “to keep him [SOLOMON] under [DAVIS’] wing.”

8. Later in the conversation, NICHOLS said “oh you just pulled in there.” DAVIS said “yeah I’m pulling in now.” NICHOLS then told another individual in the Jail, likely Individual 1, that “he” (DAVIS) had just pulled in to the Jail. NICHOLS told DAVIS that when he was leaving the Jail, DAVIS should pull in to a certain parking lot where he would see NICHOLS’ white towel in a window. Telephone toll records confirm that during this recorded

jail call, 6 text messages were exchanged between the Davis Phone and the Solomon Phone, and immediately after this recorded jail call, 2 additional text messages were exchanged.

9. A few minutes after the end of the preceding call, at 11:40 AM on September 27th, NICHOLS and DAVIS again spoke over the telephone. NICHOLS said, "He got it though, right?" and DAVIS answered "Yeah yeah yeah, he got it." Accordingly, DAVIS confirmed that SOLOMON had received the package of contraband.

10. Essex County Jail records confirm that SOLOMON worked at the Jail on September 27, 2013.

11. As the conversation continued, referring to SOLOMON's contact information, NICHOLS told DAVIS to "take his shit and store him under S-dot." NICHOLS said: "I need you with that because you gonna be in tune with him a lot. You gonna make a lot of cash." NICHOLS later reiterated: "You gonna make a lot of money with him, I'll make sure of that." DAVIS told NICHOLS that "bro" had said "we could make a party all the time if the situation rolled like that, like that size, like don't go over that." During this conversation, NICHOLS and DAVIS were discussing future deliveries of contraband, and DAVIS was telling NICHOLS that SOLOMON had said they could continue to do deliveries of contraband as long as the packages were all about the same size as the one that SOLOMON had just received.

October 2013

12. On October 4, 2013, at 7:00 AM, NICHOLS spoke to DAVIS over the recorded Jail telephone and discussed how much to pay SOLOMON. DAVIS said that "he [SOLOMON] wanted some green shit, some money shit." NICHOLS then said "Yeah that's why he come." NICHOLS and DAVIS discussed "givin that n---- 350-400 probably." NICHOLS said "hell no, we givin' that n---- 3 [hundred dollars]."

13. On October 4, 2013, at 4:47 PM, NICHOLS again spoke to DAVIS over the recorded Jail telephone. NICHOLS told DAVIS to text "Ole Boy's phone" and see if he's "free right now." DAVIS said "Ole Boy [SOLOMON]" texted back and said he's "at the job" but "on break right now." NICHOLS told DAVIS to tell him [SOLOMON] that the "other shit [he] did I brought that down there for someone else. That ain't have nothing to do with me. Period. You let him know specifically that this is my move myself." DAVIS responded by saying: "I know what you want me to do. You want me to make it seem like the other situation playin'. This is gonna be consistently." During this conversation, NICHOLS wanted DAVIS to communicate to SOLOMON that NICHOLS would be able to provide consistent orders for contraband. Telephone toll records confirm that between 5:05 PM and 5:28 PM on October 4, 2013, the Davis Phone and the Solomon Phone exchanged 7 text messages.

14. On October 5, 2013, at 6:51 PM, in a recorded Jail telephone call, NICHOLS told DAVIS: "I want motherfuckin' -- oh shit how can I say this without being crazy -- you remember the situations I got before, right -- make this one 7." When NICHOLS said "how I can say this without being crazy," NICHOLS knew that his call was being monitored and was trying to communicate carefully about contraband to avoid detection. NICHOLS said

“remember the situations I got before,” meaning the prior contraband packages that he had received, and he said “make this one 7,” meaning making the parcel to be smuggled into the Jail to include 7 packs of tobacco.

15. DAVIS then asked NICHOLS “how much you slappin’ 5 for? When everything go through, the handshake -- how much?” NICHOLS replied: “Oh, he get motherfuckin’ the whole 4.” In this conversation, NICHOLS was confirming that SOLOMON would receive \$400 for delivering the contraband. As this conversation was coming to a close, NICHOLS told DAVIS “Make sure to explain to him [SOLOMON] that shit don’t go to nobody but me. Put it in my hands,” meaning that NICHOLS instructed DAVIS to tell SOLOMON that SOLOMON had to deliver the contraband directly to NICHOLS.

16. On October 8, 2013, at 2:57 PM, NICHOLS and DAVIS again spoke over the recorded Jail telephone. NICHOLS asked DAVIS what “he [SOLOMON] was sayin” and DAVIS said to NICHOLS: “I was like -- this handshake I’m about to give you is gonna show you how serious he is.” When DAVIS said “this handshake” he was referring to the magnitude of the deal (money to SOLOMON in exchange for smuggling contraband to NICHOLS).

17. On October 10, 2013, at 7:07 PM, NICHOLS and DAVIS spoke over the recorded Jail telephone as follows:

DAVIS: Hey yo, we on, we on game face for Saturday.
NICHOLS: For, what? Who? Who?
DAVIS: Ummm -- S [SOLOMON].
NICHOLS: He says definitely Saturday?
DAVIS: Saturday morning.
NICHOLS: Alright, what time you guys are -- umm -- meeting?
DAVIS: I’m meetin, I’m meetin’ up Friday night.

As the conversation revealed, NICHOLS and DAVIS referred to SOLOMON as “S.” Telephone toll records confirm that prior to this recorded jail call, at 5:49 PM, there was a telephone call between the Solomon Phone and the Davis Phone that lasted for almost 4 minutes.

18. On October 11, 2013, a Friday, at 10:15 AM, NICHOLS and DAVIS spoke over the recorded Jail telephone. NICHOLS and DAVIS again reviewed the quantity of the contraband and how to package it so that it could be smuggled into the Jail. In this regard, NICHOLS asked whether DAVIS knew “the number of them things to get, right?” DAVIS replied, “7.” NICHOLS stated that DAVIS should “put the main situation inside all that.” Also, NICHOLS told DAVIS to “saran it real tight.” DAVIS said “into a ball,” to which NICHOLS replied “I don’t care if it’s in a ball -- yeah yeah make it small like a ball. Oh, and the two flamers [likely meaning, cigarette lighters].” DAVIS replied “you said 2?” to which NICHOLS replied “Just one, fuck that. Just one.”

19. Later that Friday, at 3:24 PM, NICHOLS and DAVIS spoke over the recorded Jail telephone. DAVIS called Individual 2 from another phone and said “Hey [Individual 2], this Rock -- hey yo motherfuckin’ bro [NICHOLS] say you rockin’ and ready?” NICHOLS told

DAVIS to tell Individual 2 that DAVIS would “be there to grab” and DAVIS relayed to Individual 2 that he would “be there to grab shortly” meaning that DAVIS would be arriving shortly to retrieve the contraband from Individual 2.

20. As this October 11th conversation continued, another individual, believed to be Individual 1, got on the phone (on NICHOLS’ side of the call) and began speaking to DAVIS. Individual 1 told DAVIS to tell Individual 2 to “get the Cali quick to you right quick.” In my experience, “Cali” is a common term used to refer to marijuana, likely indicating that the conspirators also were scheming to smuggle marijuana into the Jail.

21. On October 11, 2013, at 3:46 PM, NICHOLS and DAVIS spoke over the recorded Jail telephone. NICHOLS asked DAVIS “what happened” and DAVIS replied “I said ‘yo we good for tonight’ and he [SOLOMON] said ‘hell yeah.’” Telephone toll records confirm that immediately preceding this recorded Jail conversation, the Davis Phone and the Solomon Phone exchanged 2 text messages.

22. On October 11, 2013, at 5:12 PM, NICHOLS and DAVIS again spoke over the recorded Jail telephone. DAVIS told NICHOLS that he had to “pick up the situation now,” meaning that DAVIS had to pick up the contraband cellular telephone for delivery to SOLOMON. NICHOLS asked whether DAVIS knew anyone that “got like a little smart situation [smartphone]” or whether he anyone that had “an old one?” DAVIS said “no.”

23. On October 11, 2013, at 7:39 PM, NICHOLS and DAVIS again spoke over the recorded Jail telephone and discussed the purchase of a cellular telephone:

DAVIS: Now I’m at motherfuckin’ uhh Sprint buyin’ buyin the motherfuckin’ situation [cellular telephone]. You know what up. You heard me?
NICHOLS: Huh?
DAVIS: I said but now I’m at Sprint. I gotta get a situation. You know what I have to do.
NICHOLS: Yo, make sure, the computer, the computer.
DAVIS: Yeah I know.
NICHOLS: The cheapest one bro, fuck that.

24. Later, during this conversation, with respect to the package that was to be smuggled into NICHOLS in the Jail, NICHOLS asked DAVIS “you got the 7, the marl, the light?” referring to 7 packs of tobacco, the pack of Marlboro cigarettes, and a lighter (some of the items, along with a cellular telephone, that were to be smuggled into the Jail.)

25. As this October 11th conversation continued, NICHOLS instructed DAVIS to “Hit that n---- [SOLOMON], what time you gonna meet?” DAVIS said “I been talkin’ to him, he said like 8:30.” NICHOLS again told DAVIS to make sure to tell “him” (SOLOMON) that that the “situation” went directly to NICHOLS. Telephone toll records confirm that ten minutes prior to this call, there were two telephone calls between the Solomon Phone and the Davis Phone. Additionally, within the 10 minutes following the end of this call, the Solomon Phone and the Davis Phone exchanged 8 text messages.

26. On October 12, 2013, at 9:22 AM, NICHOLS spoke to DAVIS over the recorded Jail telephone. DAVIS confirmed that he had delivered the contraband directly to SOLOMON on the preceding night. He also informed NICHOLS that according to SOLOMON, the usual rate for delivering contraband into the Jail was \$1,000. Telephone toll records confirm that on the previous night, October 11th, there were 2 phone calls and 2 text messages exchanged between the Solomon Phone and the Davis Phone.

27. Between October 15, 2013 and October 23, 2013, NICHOLS and DAVIS spoke several times over the recorded Jail telephone. They discussed SOLOMON's continuing failure to deliver the contraband to NICHOLS that had been given to SOLOMON by DAVIS. During these calls, DAVIS told NICHOLS that SOLOMON had indicated that the Jail authorities were switching correction officer shift locations, thus making it difficult for SOLOMON to make the delivery.

28. On October 23, 2013, at 11:38 AM, NICHOLS and DAVIS spoke over the recorded Jail telephone. Referring to SOLOMON and SOLOMON's inability to deliver the package to NICHOLS based on activities at the Jail, DAVIS told NICHOLS: "I talked to that n-- --. He said it's crazy right now. He said 'I ain't tryin' to play y'all.'" DAVIS also told NICHOLS that SOLOMON "said the best day is Friday, the best day to do shit is Friday --." Telephone toll records confirm that between the preceding call and this call, the Davis Phone and the Solomon Phone exchanged 4 text messages.

29. On October 23, 2013, at 6:33 PM, DAVIS again spoke to NICHOLS over the recorded Jail telephone. DAVIS told NICHOLS: "[H]e [SOLOMON] said definitely tomorrow." Telephone toll records confirm that prior to this call, the Davis Phone and the Solomon Phone exchanged 3 text messages.

30. Between October 24, 2013, and December 5, 2013, Essex County Jail records confirm that NICHOLS ceased using the recorded inmate telephones at the Jail. This likely was due to the fact that SOLOMON had delivered contraband, including a cellular telephone, to SOLOMON sometime around October 24, 2013.

31. On December 1, 2013, at 3:33 PM, Individual 1 spoke to an unidentified male ("UM1") over the recorded Jail telephone. Individual 1 told UM1 that he [Individual 1] was in lockup on a 30-banger (for 30 days) for having a "lighter and a joint [marijuana]." Individual 1 then said "I need you to hit my peoples and let them know I'll be out of here soon and hold my spot down man." UM tried three-way calling another telephone number, ending with digits 6517, and NICHOLS answered the phone, saying "This Pun motherfucker," revealing that NICHOLS possessed a cellular telephone while inside the Jail on December 1, 2013.

32. According to telephone toll records, between November 30, 2013 and December 1, 2013, the telephone number ending in 6517 ("Nichols Jail Phone 1") and the Solomon Phone exchanged 58 text messages. Additionally, between November 17, 2013 and December 15, 2013, Nichols Jail Phone 1 and the Davis Phone exchanged over 200 phone calls and text messages.

33. Accordingly, there is probable cause to believe that SOLOMON delivered Nichols Jail Phone 1, among other contraband, to NICHOLS, in exchange for payment, all facilitated by DAVIS, and therefore NICHOLS ceased using the inmate Jail telephone for a time.

December 2013

34. On December 6, 2013, at 3:53 PM, NICHOLS spoke to DAVIS over the recorded Jail telephone. Referring to the Jail telephone number, NICHOLS told DAVIS: "I know you didn't forget about this motherfuckin' number." DAVIS asked why NICHOLS was calling from the recorded Jail telephone, and NICHOLS told DAVIS that he had to "cool out."

35. On December 6, 2013, at 5:27 PM, NICHOLS spoke to DAVIS over the recorded Jail telephone and told DAVIS that he needed "two whole situations [cellular telephones]" because he had to give away the cellular telephone that he previously had possessed inside the Jail.

36. On December 7, 2013, at 7:28 PM, NICHOLS and DAVIS spoke over the recorded Jail telephone. During that conversation, NICHOLS asked DAVIS to pick up the "Allen." NICHOLS asked DAVIS whether he (DAVIS) knew anyone who "had a spare one around so we could just save cash?" and NICHOLS said: "I know everybody have a thousand of them shits lying around, bro." NICHOLS then suggested, "Buck [HARPER] and them don't have one?" After DAVIS said that he did not know anyone, NICHOLS said "Yo, ask 'S' if he got one." When DAVIS indicated that he did not understand, NICHOLS said "I said 'S' bro, you listening to me" and then "ask that n---- man -- I need I need." Thereafter, DAVIS told NICHOLS that "one pack got a one-fourth" and "the one that's underneath the one-fourth but it don't have the one that's on top of the one-fourth." Then, NICHOLS asked DAVIS, "how many in there, what's the count?" DAVIS responded, "they come from one-fourth and down" and that there were "eight." NICHOLS asked DAVIS "put them all." In this conversation, NICHOLS and DAVIS were discussing Allen keys (which are specialized hexagonal security tools used to drive bolts and screws) that NICHOLS wanted DAVIS to provide to SOLOMON so that SOLOMON could smuggle them into the Jail. The investigation has revealed that NICHOLS and others at the Jail were using Allen keys to access certain areas of the Jail in which they stored contraband, including cellular telephones and marijuana.

37. As this December 7th conversation continued, NICHOLS asked "how we gonna get that other situation?" When DAVIS responded with "how we gonna get it up and running," NICHOLS said, "I ain't worried about getting it up and running. You know I'm gonna do that immediately." NICHOLS followed up, "I'm talking about the other situation that make it run. Because you said you've got 1." DAVIS then talked about how he could find a "cord" but not the "wall." Finally, DAVIS said that he had "to try to make it happen" and he could put his "other" charger that he used for his other phone into the box and then "when the money comes" he could "just buy me a new one." In this conversation, DAVIS decided to give NICHOLS one of his own cellular telephone chargers and then use the money they would earn from the next delivery of contraband to buy a new charger.

38. During this conversation, NICHOLS asked DAVIS: "Damn, where the fuck Buck [HARPER] at when I need him. NICHOLS then said, "Hit that n---- [HARPER] on the

three way see if he can get in contact with Mini man, fuck that” and “text him, then, text him, ‘Pun said talk to Mini now and get them motherfuckin blues from her.’ That’s all you got to say. Tell him to call Mini to get some blues. Tell him I need them shits now.” Shortly thereafter, DAVIS confirmed to NICHOLS that DAVIS had, in fact, texted HARPER. NICHOLS then stated, “Shit man, I’m trying, I’m trying to get cooking man. I haven’t been cooking in a minute, bro.” In my experience, when NICHOLS referred to getting the “blues” from HARPER, he was referring to oxycodone pills, which are sometimes referred to as “blues” on the street.

39. During this December 7, 2013 conversation, DAVIS also informed NICHOLS that he was “supposed to be meetin’ up with “S” tonight” at “10.” DAVIS asked whether he should “give him the 4 [\$400] tonight” and NICHOLS responded “hell yeah give him that tonight.” Telephone toll records confirm that the Davis Phone and the Solomon Phone exchanged 5 text messages prior to this recorded call. After this call, the Davis Phone dialed the Solomon Phone four separate times on the night of December 7, 2013. And, according to telephone toll records, there were 17 text messages exchanged between the Davis Phone and the Solomon Phone on December 8, 2013; and there were 7 such text messages exchanged on December 9, 2013.

40. Essex County Jail records confirm that SOLOMON worked on both December 8th and December 9th at the Jail.

41. On January 28, 2014, at the direction of law enforcement, CW-1 asked NICHOLS to call CW-1’s purported relative on his behalf, from NICHOLS’ cellular telephone. The number that NICHOLS was supposed to dial was actually an undercover law enforcement cellular telephone. NICHOLS subsequently dialed the number and left a voicemail on the undercover law enforcement cellular phone. The voicemail began with NICHOLS saying “This is Pun.” According to the caller ID on the undercover cellular telephone, the number associated with this phone ended in 3198 (“Nichols Jail Phone 2”).

42. Telephone toll records confirm that Nichols Jail Phone 2 first contacted the Davis Phone on December 9, 2013 at 7:33 AM and again on December 9, 2013 at 9:38 AM. Accordingly, law enforcement officers have probable cause to believe that SOLOMON delivered Nichols Jail Phone 2 to NICHOLS on December 8, 2013.

43. On February 15, 2014, corrections officers at the Essex County Jail recovered Nichols Jail Phone 2.

March 2014

44. On Friday, March 7, 2014, CW-1 informed law enforcement that a number of inmates were waiting for a package of contraband to be delivered and that the package of contraband would be delivered by SOLOMON.

45. On Friday, March 7, 2014, CW-2 informed law enforcement that inmates had prepaid for a shipment of marijuana and were waiting for it to be delivered.

46. On Saturday, March 8, 2014, CW-2 informed law enforcement that CW-2 had overheard other inmates talking about the package of marijuana that had been delivered.

According to CW-2: (a) SOLOMON had delivered a package of marijuana around noon (when he returned from his break); (b) SOLOMON had delivered the package to an inmate named "Pun" (NICHOLS); and (c) after receiving the package, "Pun" (NICHOLS) had distributed the marijuana to other inmates.

47. On Monday, March 10, 2014, CW-1 confirmed that the contraband had been delivered on the preceding Saturday by SOLOMON to NICHOLS. CW-1 stated that the package had contained multiple ounces of marijuana, tobacco, and a phone charger. CW-1 stated that NICHOLS had broken his original phone charger and had needed another one.

48. Telephone toll records confirm that on March 8, 2014, the Davis Phone called the Solomon Phone twice; and on March 10, 2014, the Davis Phone called the Solomon Phone once.

49. Essex County Jail records confirm that SOLOMON worked at the Jail on both March 8 and 9, 2014.

April 2014 – Two Contraband Deliveries

50. On March 27, 2014, Essex County Jail personnel confiscated a cellular telephone that NICHOLS had hidden on his person ("Nichols Jail Phone 3"). Nichols Jail Phone 3 was manufactured outside of New Jersey. Telephone toll records indicate that between January 8, 2014 and March 27, 2014, Nichols Jail Phone 3 had contacted the Solomon Phone 214 times (22 phone calls and 192 text messages), the Harper Phone 1,553 times (322 phone calls and 1231 text messages), and the Davis Phone 1,551 times (731 calls and 820 text messages).

51. On March 28, 2014 at 9:37 pm, DAVIS called HARPER. This call (and the calls set forth herein) were intercepted pursuant to Court order unless otherwise indicated. DAVIS told HARPER that, "fatboy [NICHOLS] got raided today -- dumb ass in lockup son." HARPER asked the reason NICHOLS was in lockup and DAVIS responded, "[he] had the phone in there. I don't know what else he had. They said they hit shit with the dogs and everything." Later in the call, HARPER asked how long NICHOLS would be in lockup "for the phone" and DAVIS replied, "I don't know -- we don't even know how much stuff he got caught with. Mind you he is still walking around with motherfucking, the weed, the tobacco and all that shit. He's still keeping that shit on him. I don't know if he had time to flush that shit or not." HARPER and DAVIS went on to discuss what incriminating evidence may have been on Nichols Jail Phone 3 and whether NICHOLS had time to erase any of the pictures or videos on the phone. DAVIS asked HARPER: "If Pun locked down, who the fuck gonna run the locker?" DAVIS told HARPER that there was still "mad shit in the locker," including two more phones, weed, and tobacco. DAVIS told HARPER that no one could access the locker without the Allen key, and NICHOLS was the individual who had the Allen key. Finally, HARPER then asked DAVIS whether DAVIS had called "S" [SOLOMON] yet, and when DAVIS replied "no, not yet," HARPER said, "You gotta call 'S.'"

52. On April 2, 2014, at 10:57 PM, DAVIS called HARPER. DAVIS informed HARPER that NICHOLS had been removed from "lockup" and HARPER asked which pod NICHOLS had been placed in. DAVIS and HARPER then discussed SOLOMON, and HARPER said, "they ain't gonna let him [SOLOMON] make too much money." DAVIS and

HARPER wondered whether SOLOMON would continue to deliver contraband in exchange for cash payments, and DAVIS told HARPER: "he [SOLOMON], he, hungry bruh." HARPER agreed, noting: "He [SOLOMON] also be in debt." Then, referring to the contraband in the locker, DAVIS asked HARPER "who the fuck he [NICHOLS] gon' get to get that for him though?" DAVIS and HARPER continued to discuss the location of the secret storage space inside the Jail and whether they knew any other inmates they could trust to access it in NICHOLS' absence.

53. On April 3, 2014 at 6:15 PM, SOLOMON called DAVIS. During the course of that conversation, DAVIS asked SOLOMON whether he was "good" and emphasized that SOLOMON had to make sure that he was "good." Further, DAVIS told SOLOMON that he "definitely might have to get, uh, rid of [his] jack though" and that he "might have to change [his] motherfuckin' number." DAVIS explained that "me and bro was talking and was like a lot of people, a lot of people got your nine bro." SOLOMON responded, "They aren't dumb enough to put it in the --" The conversation continued, as DAVIS explained to SOLOMON that "he chewed -- the card, the sim card, the memory card." SOLOMON responded, "you sure?" and DAVIS stated, "Yeah, he chew, Pun did it," meaning that DAVIS informed SOLOMON that NICHOLS had destroyed material that was part of NICHOLS' phone.

54. On April 4, 2014, at 10:36 AM, NICHOLS and DAVIS spoke over the recorded Jail telephone. During that conversation, NICHOLS asked DAVIS, "Yo, um, text Buck [HARPER] for me while you on the phone now. Tell that n---- I'm on the phone man. Ask him, did he get the rest of that money from Flash people?" When NICHOLS asked DAVIS to ask HARPER whether HARPER had received the money from individuals associated with "Flash," NICHOLS likely was asking whether HARPER picked up a payment related to the contraband smuggling scheme.

55. As this April 4th conversation continued, DAVIS then called HARPER and started a three-way call with DAVIS, NICHOLS, and HARPER on the telephone. During that conversation, HARPER asked NICHOLS, "You still got stuff next door right?" and NICHOLS responded, "Rock will tell you about all that." When HARPER referred to "the stuff next door," he was again referring to the contraband kept inside the secret storage area at the Jail (accessed using an Allen key).

56. Later, on April 4, 2014, at 12:13 PM, NICHOLS and DAVIS spoke over the telephone. NICHOLS asked DAVIS to "text." DAVIS asked, "Who?" NICHOLS then responded, "bro, bro, bro." At around the same time, at 12:15 PM, telephone toll records confirm that the Davis Phone and the Solomon Phone exchanged several text messages. DAVIS read to NICHOLS a text message that he had received from SOLOMON suggesting that SOLOMON did not know who to trust and that SOLOMON was worried about inmates talking. NICHOLS then told DAVIS to communicate to SOLOMON that "the only motherfucker that could -- is me; you feel me?" and that NICHOLS "ain't worried about taking no charge."

57. On April 6, 2014, at 8:30 PM, DAVIS called SOLOMON and told SOLOMON that he was "trying to get everything [contraband] together" so that he could drop it off [to SOLOMON]. SOLOMON replied: "Alright it's alright then."

58. On April 7, 2014, at 6:03 PM, DAVIS called SOLOMON and the following conversation took place:

DAVIS: When you gonna go back to work?
SOLOMON: Thursday.
DAVIS: I'm a try to round the rest of that other shit up though too, in a minute. I know you need something' -- hahaha --
SOLOMON: Word, right.
DAVIS: Man, n----s pockets light man, n----s pockets light, man. I'm a motherfuckin' uh-- I'ma get to that tomorrow man, then I'ma hit you and let you know. You got motherfuckas cold on that side of the phone.
SOLOMON: I feel you, my bad, my bad.

In this conversation, DAVIS and SOLOMON were discussing the next delivery of contraband. DAVIS was gathering the contraband and telling SOLOMON that he knew that SOLOMON would need a cash payment prior to making the next delivery.

59. On April 13, 2014, at 8:55 PM, DAVIS and SOLOMON exchanged a number of text messages discussing what time and where to meet for DAVIS to deliver the contraband and cash to SOLOMON. At 9:26 PM, DAVIS called SOLOMON and told SOLOMON that he was on his way. At 9:29 PM, from a cellular telephone that investigators have determined was a contraband cellular telephone located inside the Essex County Jail, an unknown person ("UM2") texted DAVIS, "Yo he [NICHOLS] said hit me when it's done." At 9:34 PM, DAVIS texted SOLOMON, "Outside bra." At 10:06 PM, DAVIS texted UM2, "It's done," meaning that DAVIS had delivered the contraband to SOLOMON.

60. On April 14, 2014, Essex County Jail records confirm that SOLOMON worked from 6:00 PM to 2:00 AM.

61. Beginning on April 14, 2014, NICHOLS began sending text messages to DAVIS and calling DAVIS from a telephone number ending in digits 4224 ("Nichols Jail Phone 4"). On April 14, at 6:14 PM, NICHOLS called DAVIS, using Nichols Jail Phone 4, and complained that Nichols Jail Phone 4 was not working well inside the Jail. DAVIS told NICHOLS to get rid of Nichols Jail Phone 4 if it was not working well.

62. On April 15, 2014, at 8:14 PM, NICHOLS called DAVIS and told DAVIS that he had sold Nichols Jail Phone 4, and NICHOLS instructed DAVIS to collect the money that he was owed (for the sale of Nichols Jail Phone 4) from an individual outside of the Jail.

63. On April 15, 2014, over the telephone, at 8:25 PM, NICHOLS, DAVIS, and HARPER discussed the delivery of another cellular telephone to NICHOLS (because NICHOLS had recently sold Nichols Jail Phone 4). NICHOLS said: "Where is the phone at?" and HARPER replied that the phone was at someone's house. NICHOLS told HARPER: "We need the phone." NICHOLS then instructed DAVIS to meet HARPER to get the phone. NICHOLS further stated "I need one of y'all to put the 50 in my account tonight. Which one of you soldiers is gonna do it?" HARPER volunteered to put the money on NICHOLS' account. HARPER

asked what name to use and NICHOLS said "my name my name." DAVIS then said "Quasim Nichols man." NICHOLS told HARPER that he needed it tonight. Finally, NICHOLS said: "I do need the order tomorrow and I would like to have the phone tonight."

64. On April 15, 2014, at 8:58 PM, HARPER called DAVIS and told DAVIS: "I got it [the telephone]." HARPER then told DAVIS that he had to go to North Newark to retrieve the cellular telephone and that he would call DAVIS once he had picked it up.

65. On April 15, 2014, at 9:17 PM, DAVIS called HARPER. HARPER told DAVIS he was picking up the phone at that moment. DAVIS told HARPER to meet him at the BP gas station on Bloomfield Avenue in Newark, New Jersey. A few minutes later, DAVIS and HARPER again coordinated their meeting spot, agreeing to meet at the BP gas station.

66. On April 16, 2014, at 8:14 PM, an unidentified male ("UM3") called DAVIS from Nichols Jail Phone 4. UM3 asked if this was "Rock [DAVIS]" and then UM3 said the "homey [NICHOLS]" told UM3 to tell DAVIS to get the money and pick up the cellular telephone and give it to SOLOMON.

67. On April 17, 2014, at 7:28 PM, DAVIS and SOLOMON sent text messages to each other about meeting up so that DAVIS could give SOLOMON money and contraband for delivery to NICHOLS. SOLOMON wrote DAVIS "sooner the betta" in response to DAVIS' inquiry about when to meet up. Later that night, at 9:07 PM, DAVIS wrote SOLOMON to "meet me by the hospital real quick." SOLOMON confirmed that he would meet DAVIS at that location, and ten minutes later, DAVIS informed SOLOMON that he was at "Lyons" by "the bus stop."

68. Over the next few days, between April 17 and April 21, in phone calls and text messages to DAVIS and HARPER, NICHOLS confirmed that he had received a new cellular telephone ("Nichols Jail Phone 5").

69. On April 28, 2014, at 6:44 PM, HARPER spoke with an inmate at the Essex County Jail on a recorded jail phone and informed the inmate that NICHOLS was being careful prior to ordering more contraband for inmates in the Jail. The inmate asked HARPER: "What's up with motherfuckin' Pun? Like, when the fuck's that n---- gonna be back in business?" HARPER responded: "He gotta, he gotta watch out first before he can bust a move." After the inmate asked "Say what?" HARPER stated: "He gotta be careful, he just bust a move, they on him."

May 2014

70. On or about May 26, 2014, law enforcement searched the federal pods at the Essex County Jail for contraband. Law enforcement recovered 9 cellular telephones, including 1 cellular telephone hidden above the light fixture in the ceiling of NICHOLS' jail cell. Law enforcement also recovered 4 Allen keys, including two Allen keys in NICHOLS' jail cell. The Allen keys were used by inmates, including NICHOLS, to loosen the light fixtures so that contraband, including cellular telephones, could be stored in the ceiling.

Western Union Records

71. The instant investigation has revealed, and CW-1 and CW-2 have confirmed, that other inmates in the Essex County Jail paid NICHOLS for marijuana, cellular telephones, and other contraband received by NICHOLS, from SOLOMON, pursuant to the conspiracy described throughout this Affidavit. In order to pay NICHOLS, other inmates asked a friend or family member outside of the Jail to send a Western Union wire for the amount of money owed. In order to receive the payment, NICHOLS had one of his associates, including DAVIS, retrieve the Western Union payments.

72. My review of Western Union records indicates that from in or about September 2013 through in or about April 2014, DAVIS received approximately \$4,000 in Western Union money transfers covering approximately 35 transactions, including transactions with individuals outside of the State of New Jersey.