

AO 91 (Rev. 01/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Rhode Island

United States of America)

v.)

RONY METELLUS)

Defendant)

2014 AUG 7 10 21 AM
1:14-MJ-178-PAS
Case No.

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 07/23/2014 in the county of PROVIDENCE in the _____ District of RHODE ISLAND, the defendant violated 18 U. S. C. § 844(i), an offense described as follows:

See attached affidavit in support of arrest warrant.

This criminal complaint is based on these facts:

See attached affidavit in support of arrest warrant

Continued on the attached sheet.

Sean Reddy TFO ATF
Complainant's signature

Sean Reddy TFO USATF
Printed name and title

Sworn to before me and signed in my presence.

Date: August 7, 2014

City and state: Providence, Rhode Island

[Signature]
Judge's signature

Patricia A. Sullivan,
Printed name and title
U.S.M.J.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

IN THE MATTER OF ARREST WARRANT

RONY METELLUS DOB 12/13/1962

UNDER SEAL

**AFFIDAVIT IN SUPPORT
ARREST WARRANT**

I, Task Force Officer (TFO) Sean Reddy, a TFO with the United States Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Providence Field Office, being duly sworn, depose and say:

INTRODUCTION

1. I am a Task Force Officer currently assigned to the United States Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"). I am an arson investigator employed by the City of Providence, Rhode Island Fire Department's Arson Squad and have been so assigned since 2009. I have been a member of the Providence, Rhode Island Fire Department since 1987. My duties include, but are not limited to, investigation of state and federal arson violations and determining the cause and origin of fires. I have participated in numerous federal arson investigations. In 1987 I graduated from the Providence Fire Department's fire academy. In 2010 I graduated from the Providence Police Department's police academy. I attended and

successfully completed the New York State Fire Academy. For eight weeks I attended and successfully completed the Assistant Deputy State Fire Marshal's training. This certification authorizes me to enforce the Rhode Island state fire code. I have attended numerous fire investigation-related classes.

2. I have personally participated in the investigation set forth below. I am familiar with the facts and circumstances of the investigation through my personal participation; from discussions with investigators of the Providence, Rhode Island Fire Department, from information obtained through law enforcement interviews of witnesses with knowledge of certain information concerning facts related to this investigation; and from my review of records, reports and video surveillance recordings relating to the investigation.

Unless otherwise noted, wherever in this affidavit I assert that a statement was made, the information was provided by another agent, law enforcement officer or witness who may have had either direct or hearsay knowledge of that statement and to whom I or others have spoken or whose reports I have read and reviewed. Such statements are among many statements made by others and are stated in substance and in part unless otherwise indicated.

Since this affidavit is being submitted for the limited purpose of securing an arrest warrant for RONY METELLUS DOB 12/13/1962, I have not included details of every aspect of the investigation. Facts not set forth herein are not being relied on in reaching my conclusion that the requested warrant should

be issued. Nor do I request that this Court rely on any facts not set forth herein in reviewing this application.

PROBABLE CAUSE

3. On July 23, 2014 at approximately 0340 hours I was notified by the Providence Fire Department that they were suppressing a fire in a multi-unit, rental property located at 346 Admiral Street. The house was equipped with separate electrical meters and separate electrical panels. The City of Providence records list the property as multi-family. I responded to that location and met with the fire department's incident commander. I learned that upon the arrival of fire department personnel they observed fire and heavy smoke coming from the third floor apartment. The fire was eventually extinguished. The three- story, wood frame, residential structure sustained heavy fire damage. My initial investigation revealed that at the time of the fire the first floor apartment in the house was occupied by three adults and three children. Both the second and third floor apartments were not occupied. The tenants were paying rent to live there and the third floor tenant had been evicted for failure to pay rent. Through interviews I learned that the second floor tenant had recently moved out and she too had been paying rent to live there. As such the house was involved in interstate commerce.
4. Utilizing accepted, standard investigative techniques I conducted a preliminary scene investigation. I was able to determine that weather did not

play a role in the ignition of this fire. There were no electrical storms in the area the evening of the fire or any reports of lightning strikes. I was unable to locate any evidence that would indicate that the fire was started by faulty electrical wiring, a defective electrical appliance or other electrical device. There was no evidence to indicate that the fire was ignited by any gas or electrical heaters. I was able to determine that the origin of the fire was in the bedroom in the third floor apartment in the area where two mattresses had been. Based upon my inspection of the scene I was able to determine that the cause of the fire was an unknown person or persons intentionally ignited available combustible materials.

5. During my investigation I spoke to RONY METELLUS (DOB 12/13/1962). METELLUS told me that he was the owner of 346 Admiral Street. City tax records reflect the building is owned by Patrick METELLUS. I spoke to Patrick METELLUS and he told me that he and his brother, RONY METELLUS, own the house and he was "the bank" for the purchase of the house. RONY METELLUS told me that he resides at 77 Marietta Street in Providence, RI. Marietta Street is less than one mile from the Admiral Street property.
6. As part of my investigation I canvassed the neighborhood and noted that a neighboring property on Admiral Street was equipped with an exterior video surveillance camera. I met with the homeowner who agreed to allow investigators to review the video images of Admiral Street for the night of the

fire. During my review of the video I noted that an SUV consistent with being a Nissan Pathfinder pulled up and parked across the street from 336 Admiral Street. This location is on the opposite side of the street and slightly down from the fire scene. I noted a large male got out of the vehicle and walked toward the scene of the fire. I then noted approximately eight minutes later that same large male walked from the fire scene, got back into the SUV, made a U-turn on Admiral Street without turning his lights on and drove away from the scene. It should be noted that the suspect from the SUV walked with a distinctive gait. RONY METELLUS is six feet five inches tall and weighs approximately 205 pounds. I have met with RONY METELLUS on three separate occasions. I have observed his build as well as the manner in which he walks and have concluded that the subject depicted in the video is consistent with RONY METELLUS. I asked RONY METELLUS where he was at the time of the fire and he told me that he was home on Marietta Street. I have caused an inquiry to be made with the Rhode Island Registry of Motor Vehicles and I have learned that RONY METELLUS is the registered owner of a 2006 Nissan Pathfinder color gold with VIN 5N1AR18WX6C658856. This vehicle is consistent with the description of the vehicle seen parking near the site of the arson fire and leaving a short time before fire apparatus were summoned to the scene. I have shown the video recording of the man exiting and then returning to the Nissan Pathfinder to Germina Guillaume the mother of three of RONY METELLUS's children. Ms.

Guillaume has positively identified the person in the video as RONY METELLUS.

7. As part of my investigation I drove to RONY METELLUS's house located at 77 Marietta Street. I noted that there were several wall-mounted security type surveillance cameras on the house. I could tell that these cameras would capture the arrival or departure of any vehicles parked at or leaving the residence. On July 26, 2014 I secured a search warrant to search 77 Marietta Street for digital video recording equipment that would tend to document whether RONY METELLUS had left his house and or entered it at or near the time of the fire.
8. I executed the warrant and located a digital video recording device. I reviewed the video and made the following observations. First, contrary to what RONY METELLUS told me, he did not leave his home around 0100 hrs. the night of the fire. More importantly, the video does show RONY METELLUS leaving his house shortly before the fire. A review of the video demonstrates that sufficient time passed to have allowed RONY METELLUS to have travelled to Admiral Street, started a fire and returned home to Marietta Street.
9. During my investigation I noted that the Emergency Management Agency Building on Marietta Street in Providence, Rhode Island is equipped with exterior digital video surveillance. I contacted the EMA and obtained a copy of the exterior footage for the early morning hours of July 23, 2014. That

video clearly shows a tan or gold Nissan Pathfinder travelling on Marietta Street at 0323 hrs. heading in the direction of Admiral Street. The Admiral Street fire location is approximately .8 miles from 77 Marietta Street.

10. During my initial interview with RONY METELLUS he showed me photographs on a cellular telephone. That phone is more particularly described as being a white iPhone or Android type smart phone which has a glass screen with a feature that allows the user to swipe the screen to move from digital photograph to digital photograph. The telephone number on this phone is (401) 599-9542. RONY METELLUS told me he had taken these photographs shortly before the fire. He told me that he had taken these photographs to document the contents and appearance of the third floor apartment from which he had recently evicted Alfred O. Friendly. RONY METELLUS told me that he believed Friendly was responsible for setting the fire. He also told me that he believed that Friendly had forcibly entered the premises in the days following his eviction and that is what motivated him to take the photographs. He provided me copies of these photographs. On July 26, 2014 I asked RONY METELLUS if I could review the phone from which he had taken the pictures of the third floor apartment and from which he had previously allowed me to review same. He told me that he had lost the phone.
11. Based in part upon RONY METELLUS's representations that he believed his former tenant was responsible for setting the fire, I interviewed Alfred O.

Friendly. Mr. Friendly told me that on the night of the fire he had been staying at the Rescue Mission located 627 Cranston Street Providence, Rhode Island. He told me he had spent the night at that location and never travelled near his former residence. I went to the rescue mission and met with a representative of the organization. They confirmed that Alfred O. Friendly was registered as a guest with them the night of the 22nd into the 23rd and that he did not leave the premises.

12. On July 26, 2014 Investigator Doughty and I met with RONY METELLUS and asked him if he would be willing to return to the Providence Public Safety Complex to answer additional questions relating to the fire. He agreed to do so. While at the Public Safety Complex RONY METELLUS indicated that he would not answer any additional questions concerning the fire. He was arrested for violation of Rhode Island General Laws first degree arson § 11-4-2.
13. During my investigation I have learned that shortly after the fire, RONY METELLUS hired a public adjuster, Craig Martin, to represent him in filing an insurance claim for the damage to 346 Admiral Street. I have also learned that at the time of the fire 346 Admiral Street was insured by Lloyd's of London. I have secured records from Richard Blackman Insurance Agency in East Greenwich, Rhode Island. Those records reflect that RONY METELLUS filed a claim with his insurer through public adjuster, Craig Martin. Those records further reflect that Richard Blackman forwarded that claim to the

insurance company's Massachusetts based representative via email. The evidence therefore indicates that at least one interstate wire communication was made in connection with the insurance claim related to this suspected arson.

14. During my preliminary interview with RONY METELLUS he identified himself as a security specialist who had recently lost his last and only contract and was currently unemployed. He explained that he would watch people's property for them. He identified his company as Rhode Island Security. I checked the Rhode Island Secretary of State's corporate filings database and located a filing for Rhode Island Security, LLC. The manager is listed as RONY METELLUS of 524 Charles Street Providence, RI. A second manager is listed as Patrick Metellus also of 524 Charles Street, Providence, RI. Investigators have spoken to a second floor tenant at the fire location. This tenant is familiar with RONY METELLUS and stated that RONY METELLUS uses the first floor apartment as an office for his security business and also accepts rents there for his apartment rental business. The insurance documents obtained from Blackman Insurance reflect that the insured is Rhode Island State Security, LLC care of Ronnie (sic) Metellus. A handwritten notation on a record received from Richard Blackman Insurance Agency states "property deeded to insured's LLC, insure renewal under Rhode Island State Security, LLC." Records obtained from the City of Providence Recorder of Deeds do not reflect that the property was deeded to

Rhode Island State Security, LLC and show Patrick Metellus as the owner.

15. During my initial interview with RONY METELLUS he told me that the last check he had written had been returned by the bank for insufficient funds. He stated he is owed approximately \$2000 from his former third floor tenant. At the time of the fire the second floor tenant had abandoned the premises and no rent was being generated from that property. I have also learned that RONY METELLUS is currently renting a government subsidized apartment at 316 Fourth Street, Fall River, Massachusetts. I have further determined that RONY METELLUS applied for this apartment and cited lack of sufficient finances as a basis for qualifying for such subsidized housing. I have also learned that RONY METELLUS has three minor children residing in New Jersey and that he is in arrears on his child support. It is my belief that RONY METELLUS was financially motivated to commit this arson and had hoped to collect on the existing insurance policy.
16. On July 30, 2014 Investigator Paul Doughty of the Providence Fire Department, Arson Squad received a telephone call from Germina Guillaume. Ms. Guillaume, is the girlfriend of RONY METELLUS and the mother of three of his children. Ms. Guillaume had been previously interviewed by investigators and had been provided with Investigator Doughty's telephone number to call should she develop additional information. Ms. Guillaume reported to Investigator Doughty that a short time earlier she had received a telephone call from RONY METELLUS's

attorney, whose identity is known to me but whose name is being deliberately omitted from this affidavit. She told Investigator Doughty that she is familiar with the attorney, has previously spoken to him and can confirm that it was the attorney she spoke to during the call. The attorney told Ms. Guillaume that RONY METELLUS wants her to go to the apartment on Charles Street and get the cell phone that is on top of, under or behind the refrigerator. The attorney instructed her to "hide" the phone. As a result of that information I applied for and obtained a search warrant to search the Charles Street location for the telephone. The apartment was searched and the phone was not located. On August 6, 2014 I was present for an interview with the attorney. The attorney admitted to having called Ms. Guillaume concerning the missing telephone but denied that he told her to hide it. He stated that he wanted the telephone because he believed it contained exculpatory evidence. It is apparent from RONY METELLUS's interest in concealing this telephone from authorities that this phone may have evidence helpful to the government's investigation. Based upon the totality of the above described facts your affiant has reason to believe and does in fact believe that probable cause exists to arrest RONY METELLUS for the crime of

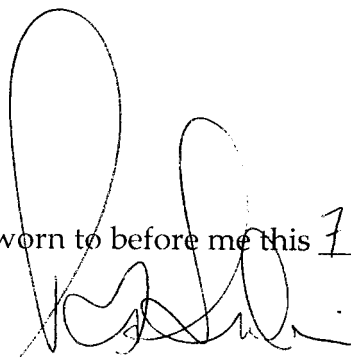
17. arson of a building used in interstate commerce a violation of 18 U.S.C. 844(i)

and requests that a warrant issue authorizing such arrest.

 *Sean Reddy TFO ATF*

Sean Reddy
Task Force Officer
Bureau of Alcohol, Tobacco, Firearms and Explosives

Sworn to before me this 7th day of August, 2014



PATRICIA A. SULLIVAN
UNITED STATES MAGISTRATE JUDGE
DISTRICT OF RHODE ISLAND