

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA

**CRIMINAL COMPLAINT**

v.

CASE NUMBER:

JUAN AMAYA,  
also known as "Crow"

**UNDER SEAL**

I, the undersigned complainant, being duly sworn on oath, state that the following is true and correct to the best of my knowledge and belief: On or about November 3, 2010, at Chicago, in the Northern District of Illinois, Eastern Division JUAN AMAYA, also known as "Crow," defendant herein:

knowingly and intentionally possessed with intent to distribute a controlled substance, namely, a quantity of a mixture and substance containing a detectable amount of cocaine, a Schedule II Controlled Substance;

in violation of Title 21, United States Code, Section 841(a)(1). I further state that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms & Explosives, and that this complaint is based on the facts contained in the Affidavit which is attached hereto and incorporated herein.

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Signature of Complainant  
JEFF SISTO  
Special Agent, Bureau of Alcohol, Tobacco, Firearms &  
Explosives

Sworn to before me and subscribed in my presence,

September 11, 2012 at Chicago, Illinois  
Date City and State

ARLANDER KEYS, U.S. Magistrate Judge  
Name & Title of Judicial Officer

\_\_\_\_\_  
Signature of Judicial Officer



3. I have personally conducted or assisted in hundreds of criminal investigations that focused on individuals deriving income from illegal sources, including firearms trafficking, narcotics trafficking and money laundering. I have been involved in hundreds of types of electronic surveillance, the debriefing of defendants, witnesses and confidential informants and others who have knowledge of narcotics trafficking and traffickers who hide their proceeds to avoid detection for their illegal activities and evade paying income taxes. I have received specialized training in the enforcement of laws concerning the activities of narcotics traffickers. Through these investigations, my training and experience, and conversations with other special agents, as well as other law enforcement personnel, I have become familiar with methods used by narcotics traffickers and gang members to safe guard their narcotics, to distribute narcotics, and to collect and hide narcotics proceeds with the use of firearms.

4. I have testified in numerous jury trials and grand juries. I have also been qualified and testified as an expert in Federal and State court as to narcotics traffickers and their methods of dealing narcotics with the use of firearms and other methods of avoiding detection by law enforcement agencies.

5. This affidavit is submitted in support of a criminal complaint alleging that JUAN AMAYA, also known as "Crow," has violated Title 21, United States Code, Section 841(a)(1). Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging AMAYA with knowingly and intentionally possessing with intent to distribute a controlled substance, namely, a quantity

of a mixture and substance containing a detectable amount of cocaine, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the offense alleged in the complaint.

6. The information in this Affidavit is drawn from interviews of cooperating sources, consensual recordings, controlled purchases of narcotics, physical surveillance, information received from other law enforcement agents, including an undercover agent (“UCA”), my experience and training, and the experience of other agents.

7. At various points in the Affidavit, I will offer my interpretations of certain recorded conversations/meetings in brackets and otherwise. My interpretations of these conversations are based on my knowledge of the investigation to date and review of other interceptions and conversations, the content and context of the conversations, prior and subsequent conversation, the results of physical surveillance, conversations with other officers and agents, and my experience and familiarity with these types of investigations. Finally, the summaries of conversations do not include all potentially criminal conversations recorded during this investigation, or all statements or topics covered during the course of the recorded conversations. They do not represent finalized transcripts and may not represent the entire conversation that occurred between the identified individuals.

## **I. FACTS SUPPORTING PROBABLE CAUSE**

### **A. Information from Confidential Sources**

8. Since September, 2010, ATF has been investigating the illegal narcotic and firearms sales and trafficking of JUAN AMAYA, a/k/a “Crow” (hereinafter, “AMAYA”), and members of The Almighty Latin Kings Street Gang (hereinafter, the “Latin Kings”).

9. During the investigation, two confidential informants (hereinafter, “CS1 and CS2,”) provided information to law enforcement regarding AMAYA and the Latin Kings.

10. CS1 is an active member of the Latin Kings. ATF first came into contact with CS1 in 2010, when law enforcement officers arrested CS1 for delivery of cocaine. CS1 was not charged with an offense because CS1 provided ATF with historical information regarding drug trafficking activities in the Cook County, Illinois, area, and agreed to proactively cooperate with law enforcement. As a result of his/her cooperation with federal agencies, agents told CS1 that he/she will not be charged for the offense that led to his/her arrest. Prior to the arrest described above, CS1 was convicted of aggravated battery with a firearm in the early 2000s.

11. Since CS1 began working with ATF in 2010, CS1 has cooperated on drug investigations, which have resulted in arrests, as well as seizures of guns and narcotics. The information provided by CS1 during this investigation has been reliable. Moreover, the information provided by CS1 has been corroborated by independently obtained evidence, including physical surveillance, controlled purchases of narcotics, information from other confidential informants, recorded conversations, and public source database searches. In exchange for this cooperation, ATF and local law enforcement have paid CS1 approximately \$35,000.

12. CS2 is also an active member of the Latin Kings. ATF first came into contact with CS2 in September, 2010, when CS2 offered to provide historical information regarding drug trafficking activity in the Cook County area and to proactively cooperate with law enforcement in exchange for payment. Prior to his/her cooperation, CS2 was convicted as a juvenile in approximately 1998 for murder and sentenced to approximately 20 years. The case has since been adjudicated.

13. Since CS2 began working with ATF in 2010, CS2 has cooperated on drug investigations, which have resulted in seizures of guns and narcotics. The information provided by CS2 during this investigation has been reliable. Moreover, the information provided by CS2 has been corroborated by independently obtained evidence, including physical surveillance, controlled purchases of narcotics, information from other confidential informants, recorded conversations, and public source database searches. In exchange for this cooperation, ATF and local law enforcement have paid CS2 approximately \$ 2,000.

14. According to CS1 and CS2, AMAYA is a ranking Latin King gang member who distributes narcotics in the Little Village area of the Chicago.

**B. AMAYA Sells the UCA 13.5 Grams of Cocaine (September 28, 2010).**

15. On September 28, 2010, at approximately 6:00 p.m, law enforcement met with CS1 and CS2, and searched them for contraband with negative results. Law enforcement

agents provided the UCA with audio and video recording devices and \$380 in pre-recorded currency.

16. On September 28, 2010, at 6:50 p.m., and at the direction and in the presence of law enforcement, CS2 had a consensually-recorded telephone conversation with AMAYA to arrange the purchase of one-half ounce of cocaine. According to CS2, AMAYA offered to sell CS2 a one-half ounce quantity of cocaine for \$380.<sup>1</sup> As heard on the audio recording, CS2 told AMAYA that he/she was “right here with some brothers [Latin King gang members], so I'm gonna scoop over that way and pull up.”<sup>2</sup> According to CS2, AMAYA told CS2 words to the effect that he was waiting for his supplier to arrive with the cocaine, and that once they arrived, AMAYA would then call CS2.

17. On September 28, 2010, at approximately 7:10 p.m., and at the direction and in the presence of law enforcement, CS2 had another consensually-recorded conversation with AMAYA. During this conversation, CS2 told AMAYA, "I'm right here in the alley, bro, but I don't even remember what fuckin ... what fucking house it is." CS2 then said,

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<sup>1</sup> This portion of the conversation took place prior to the recording being activated. The identification of AMAYA in this affidavit is based on the following: First, as explained below, on September 28, 2010 and November 3, 2010, the UCA met with AMAYA in person. The UCA compared an Illinois Driver's License photograph of AMAYA to the individual with whom he met on those dates, and determined that AMAYA was the person with whom he met. Second, during the investigation, CS2 identified a person whom he/she knew at the time as "Crow," who was a ranking member of the Latin Kings Street Gang. According to law enforcement databases, AMAYA's alias is "Crow," and AMAYA is a self admitted member of the Latin Kings Street Gang. According to CS2, AMAYA is the person with whom the UCA, CS1, and CS2 met on September 28, 2010 and November 3, 2010, and AMAYA's voice was on the recorded calls.

<sup>2</sup> Because this conversation took place in the car, only CS2's side of the conversation was recorded during this phone call.

“right here on St. Louis.”<sup>3</sup> According to CS2, AMAYA then told CS2 that he was at his brother-in-law's residence near 49<sup>th</sup> and Karlov (hereinafter, “the Karlov Residence”). According to the UCA, who was present during the conversation, CS2 agreed to meet with AMAYA near AMAYA's brother-in-law's residence.

18. At approximately 7:27 p.m., the UCA, CS1, and CS2 drove to the area of the Karlov Residence. At that time, CS2 placed a consensually-recorded call to AMAYA in the presence of the UCA. CS2 said, “Right now I'm looking for the location, but I'm already around, so if you wanna start coming out.”<sup>4</sup>

19. According to law enforcement officers on surveillance (hereinafter, “surveillance), as the UCA parked his/her vehicle in the alley behind the Karlov Residence, CS2 exited the undercover vehicle and met with a Hispanic male, who was later identified as AMAYA. The UCA observed AMAYA and CS2 do the Latin King handshake, and then have a brief conversation.

20. As seen and heard on the recording, CS2 then reentered the vehicle, and told the UCA that AMAYA wanted them to pull up. At approximately 7:29 p.m., surveillance

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<sup>3</sup> During this phone call, the UCA, CS1, and CS2 were parked in the undercover's vehicle in the alley behind 3029 S. St. Louis Ave, Chicago, Illinois. Because this conversation took place in the car, only CS2's side of the conversation was recorded during this phone call.

<sup>4</sup> Because this conversation took place in the car, only CS2's side of the conversation was recorded during this phone call.



observed the UCA move the vehicle approximately 20 yards and park, and then saw AMAYA enter the back seat of the UCA's vehicle.<sup>5</sup>

21. As heard on the recording, after AMAYA entered the vehicle, he told the UCA and CS2, "They [opposing gang members] all be over here, nigger. They all right here, nigger. I'll be ready for their asses [AMAYA was ready to shoot opposing gang members with the firearm he possessed]." According to the UCA and CS2, AMAYA then pulled a silver semi-automatic handgun from his waistband, waved it inside the passenger compartment of the undercover vehicle, returned the handgun to his waistband, and then greeted the UCA saying, "What's up brother? King Love." The UCA and AMAYA then did the Latin King handshake.

22. According to the UCA and CS2, AMAYA then handed the UCA a clear plastic bag containing a white powdery substance that appeared to be cocaine, and the UCA gave AMAYA \$380.<sup>6</sup> As seen and heard on the recording, the UCA simulated smelling the outside of the bag of suspect cocaine, and stated, "Me gusto wey [meaning very good in reference to the quality of cocaine]." AMAYA then told the UCA, "I was washing my (U/I) so it [the bag of cocaine] might smell like bleach." AMAYA then explained, "This [the cocaine] was some other, cause my people's [usual suppliers] didn't have this [cocaine], this was one of my boys, but usually my other boy that I fuck with, you know who I fuck with

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<sup>5</sup> Because it was dark outside, AMAYA is not identifiable in the video recording.

<sup>6</sup> The video recording did not capture AMAYA handing the cocaine to the UCA, but the recording captured the UCA after he received the bag of cocaine.

[the quality of the cocaine might not be as good as the cocaine he usually sells]." AMAYA then stated, "Alright my niggers" and exited the vehicle.

23. Surveillance observed AMAYA exit the vehicle at approximately 7:30 p.m., and walk into a gangway in the alley. The UCA then drove out of the area and back to the prearranged meeting location.

24. Law enforcement officers met with the UCA, CS1, and CS2 at the prearranged briefing location, and searched CS1 and CS2 for contraband with negative results. Agents took possession of the recording devices and the plastic bag containing the suspect cocaine from the UCA that he/she had received from AMAYA. A subsequent DEA laboratory analysis of the substance revealed that it contained cocaine, with a net weight of approximately 13.5 grams.

**C. AMAYA Sells the UCA 29 Grams of Cocaine (November 3, 2010).**

25. On November 3, 2010, during the mid morning, CS2 had an unrecorded conversation with AMAYA. According to CS2, during the call, CS2 and AMAYA arranged for AMAYA to sell CS2 an ounce of cocaine.<sup>7</sup>

26. On November 3, 2010, at approximately 1:00 p.m., law enforcement met with CS1 and CS2 and searched them for contraband with negative results. Law enforcement agents provided the UCA with audio and video recording devices and \$800 in pre-recorded

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<sup>7</sup> The first call between the CS2 and AMAYA was not recorded because CS2 did not have a recorder available to him/her at the time.

currency. The UCA, CS1, and CS2 then drove in the UCA's vehicle near the Karlov residence.

27. On November 3, 2010, at approximately 2:22 p.m., at the direction and in the presence of law enforcement, CS2 placed a consensually-recorded call to AMAYA.<sup>8</sup> As heard on the audio recording CS2 told AMAYA, "I'm a few blocks away." CS2 also relayed to AMAYA that they would meet him in the "alley," and that AMAYA should "jump in [the UCA's vehicle]" when the UCA, CS1, and CS2 arrived.

28. On November 3, 2010, at approximately 2:22 p.m., surveillance observed the UCA's vehicle parked in the alley near the Karlov Residence. Surveillance then observed AMAYA enter the rear seat of the UCA's vehicle.<sup>9</sup>

29. As captured on the video recording, after AMAYA got into the UCA's vehicle, he performed the Latin King handshake with CS1, CS2, and the UCA. As heard on the recording, the UCA, CS1, and CS2 told AMAYA that there were some "shorties [opposing gang members]" hanging around in the alley. AMAYA responded, "They live right here, dog. Remember I pulled out that other pistol [referring to the transaction on September 28, 2010]? That was you guys, right?" AMAYA continued, "Yeah, nigger, right here, they use that gangway a lot, right here [referring to the opposing gang members hanging out in the

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<sup>8</sup> Because the recording device was located in the car, only CS2's side of the conversation was recorded.

<sup>9</sup> Because AMAYA was wearing a hooded sweatshirt, surveillance was unable to positively identify him. AMAYA's identification on November 3, 2010 is based on information provided by the UCA and the video recording.

alley where they were presently conducting the narcotics transaction].” As captured on the video recording, AMAYA then took out a clear plastic bag containing a white powdery substance that appeared to be cocaine and stated, "Hey look bro, I need eight [eight hundred] for this, dog.” AMAYA then handed the plastic bag to the UCA, and the UCA gave AMAYA \$800. AMAYA stated, "That shit's flame [the quality of the cocaine is very good]." AMAYA then told the UCA to "be careful with these donuts [cocaine], bro. It's on point and everything [the quality of the cocaine is very good]."

30. As heard on the recording, the UCA then asked AMAYA if he had any “straps [firearms]” to sell. AMAYA then stated, “That one I showed you all [the gun AMAYA displayed on September 28, 2010], man, mother fucker, the boys [Latin King gang members] used it in the hood, man. Had it out there one day, them niggers like, let me use it. They went and knocked a mother fucker [the Latin King gang members used the gun to shoot someone].” AMAYA stated, “I don't want that bitch [gun] back. Keep that mother fucker, dump it, chop it up [reiterating what he told the Latin King gang members to do with the gun].” AMAYA stated, "I need some big shit, all handguns [needs to purchase firearms from the UCA]." The UCA stated words to the effect that he would look around for him. AMAYA then exited the UCA’s vehicle and walked out of the area. The UCA then drove out of the area and traveled to the prearranged meeting location.

31. Law enforcement officers met with the UCA, CS1, and CS2, debriefed and searched CS1 and CS2 for contraband with negative results, and took possession of the audio and video recording devices and the plastic bag containing the white powdery substance that

AMAYA sold to the UCA. A subsequent DEA laboratory analysis of the substance revealed that it contained cocaine, with a net weight of approximately 27.1 grams.

**D. The UCA and CS1 Meet with AMAYA (July 24, 2012).**

32. On July 24, 2012, at approximately 2:00 p.m., law enforcement met with CS1 and searched him/her for contraband with negative results. Law enforcement agents provided the UCA with audio and video recording devices. The UCA and CS1 then drove in the UCA's vehicle to 24<sup>th</sup> and Sawyer in Chicago, Illinois.

33. On July 24, 2012, at approximately 4:58 p.m., the UCA and CS1 were driving in the UCA's vehicle at approximately 24<sup>th</sup> and Sawyer, in Chicago, Illinois. The UCA pulled his/her vehicle to the curb, and according to the UCA, AMAYA approached the passenger side of the UCA's vehicle.<sup>10</sup> As heard on the audio recording, AMAYA, the UCA, and CS1 began discussing their meeting on September 28, 2010, and AMAYA stated, "They were trying to get me, Joe [referring to the opposing gang members that were in the alley the night of September 28, 2010]." AMAYA went on to say, "But they always gonna get their asses [meaning AMAYA would have shot them first]."

**II. CONCLUSION**

34. Based on the foregoing, I believe there is probable cause that JUAN AMAYA did knowingly and intentionally possess with the intent to distribute a controlled substance, namely, a quantity of a mixture and substance containing a detectable amount of cocaine, a

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<sup>10</sup> The video recording did not capture AMAYA as he approached the vehicle.

Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

FURTHER AFFIANT SAYETH NOT.

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JEFF SISTO  
Special Agent, Bureau of Alcohol, Tobacco, Firearms & Explosives

SUBSCRIBED AND SWORN to before me on September 11, 2012.

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ARLANDER KEYS  
United States Magistrate Judge